

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of: May 04, 2016
Item No: 4.a.
Staff: Tiffany Schmid

CONDITIONAL USE PERMIT

FILE NUMBER: S15-0017/King Edward Verizon

APPLICANT: On Air LLC, Allen Fink

REQUEST: Conditional Use Permit to allow the construction of a wireless telecommunication facility on an existing 120-foot-tall Pacific Gas & Electric (PG&E) electrical transmission tower to consist of a 12-foot top hat with six panel antennas, and ground equipment with fencing.

LOCATION: On the west side of El Dorado Hills Blvd., east side of Hensley Circle within a 100-foot-wide PG&E utility easement in the El Dorado Hills area, Supervisorial District 1. (Exhibit A)

APN: 125-500-06 (Exhibit B)

ACREAGE: 5.7 acres

GENERAL PLAN: Open Space (OS) (Exhibit C)

ZONING: Open Space (OS) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Categorically Exempt pursuant to CEQA Guidelines Section 15301(b)

RECOMMENDATION: Staff recommends the Zoning Administrator take the following actions:

1. Find the project is exempt from CEQA pursuant to Section 15301(b) of the CEQA Guidelines (Existing Facilities); and
2. Approve Conditional Use Permit S15-0017 based on the Findings and subject to the Conditions of Approval as presented.

PROJECT INFORMATION

Project Description: Conditional Use Permit to allow the construction of a wireless telecommunication facility consisting of a 12-foot-tall top hat with six panel antennas and six Remote Radio Units (RRUs) at the 128 foot level atop an existing 120 foot tall PG&E tower, for a maximum height of 132 feet, and a 29 by 14 foot chain link fenced area with cabinets and other ground mounted equipment (See Exhibit E). The fenced area will sit atop a 35 by 20 foot raised concrete slab. No equipment shelter, HVAC units, or portable generator is proposed, as Verizon plans to place the equipment on the concrete slab within the fenced compound.

The fenced compound will be situated approximately 30 feet east of the tower structure directly under the power lines, 150 feet from the nearest residence to the north, and 49.2 feet from the nearest property line.

Site Description: The 5.7-acre site is located on the east side of Hensley Circle, on the west side of El Dorado Hills Boulevard within the El Dorado Hills area. The property is owned by the Community Service District and contains a 100-foot-wide PG&E easement and a 200 foot wide SMUD easement. The antennas, equipment, and fenced compound will be located within the PG&E easement and outside the SMUD easement. The parcel is vacant except for two PG&E towers and dirt access drives to both towers from El Dorado Hills Boulevard. The parcel is flat with grasses and some oak and other trees. There are single family homes located to the north and south of the property.

The surrounding land uses include residential uses to the north and south, and more open space land with power lines to the west and east. Hensley Circle lines the west property lines while El Dorado Hills Boulevard is over 600 feet to the east. The surrounding properties are zoned R1 (Single-unit Residential) to the north and south, OS (Open Space) to the west, and RF-H (Recreational Facilities, High-intensity) to the east.

STAFF ANALYSIS

The parcel is zoned OS (Open Space). Zoning Ordinance Section 130.40.130(B4) permits the collocation on existing non-building structures or public facilities in all zoning districts with an approved Minor Use Permit. Further, antennas that exceed the maximum height for the zoning district or 15 feet above the height of the existing structure, whichever is less, are subject to a Conditional User Permit. The antennas will be located on an existing 120-foot-tall PG&E tower, which is above the 25-foot maximum height for the OS Zoning District; therefore, a Conditional Use Permit is required.

General Plan:

Land use Compatibility

Policy 2.2.5.21 directs that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses. Development projects that are potentially incompatible

with existing adjoining uses shall be designed in a manner that avoid any incompatibility or shall be located on a different site. The site has residences to the north and south and open space land that contains existing PG&E towers and electric lines to the east and west. El Dorado Hills Boulevard is approximately 600 feet to the east. The project would be compatible and consistent with the adjacent residential land uses because the antennas will be attached atop the existing 120-foot-tall tower and the ground equipment will be screened by chain link fence with brown colored slats. The existing PG&E towers are visible from Hensley Circle, King Edward Drive, Stoneman Way, and El Dorado Hills Boulevard. Since the proposed Verizon antennas would be placed on top of the tower, they would be visible from these locations as well. The equipment compound would not be visible from any of the nearby public streets. An existing tower with antennas atop the tower similar to this proposal is located between the proposed site and El Dorado Hills Boulevard to the East. See Exhibit G for photo simulations.

Special Use Permit Requirement

Policy 5.6.1.4 requires a Special Use Permit for the installation of community telecommunications facilities in residential areas to ensure that siting, aesthetics, environmental issues, surrounding land uses, and health and safety concerns are considered. The applicant is proposing the wireless communications facility on an Open Space zoned parcel with residential land uses to the north and south of the facility. The project will utilize an existing PG&E tower and the ground under the electric wires within PG&E's 100-foot public utilities easement. The proposed antennas will be painted to match the existing PG&E tower. The project ground equipment will be located within a chain-link fenced compound with brown colored vinyl slats. The ground equipment will not be visible from neighboring residences.

Adequate Access for Emergencies

The cell tower facility is located on an Open Space zoned parcel fronting Hensley Drive that contains existing PG&E electric lines and towers. An existing dirt access road leads directly from El Dorado Hills Boulevard across a neighboring vacant property to the tower. A 15-foot non-exclusive access and utility easement over this existing access road will provide Verizon with the needed access from El Dorado Hills Boulevard to the project site. Policy 6.2.3.2 directs the applicant to demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area. This access road is already in place for emergency vehicle use should the need arise. Therefore, the project would be in compliance with this General Plan Policy.

Conclusion

Staff finds that the project, as proposed and conditioned, conforms to the General Plan.

Zoning Ordinance:

130.25 Special Purpose Zones

Section 130.25.010.C defines Open Space (OS) as a set aside for primarily open space purposes, including wildlife habitat, oak woodland, etc. However, where the County determines it is necessary or in the public interest, limited infrastructure, including utilities are expressly allowed in the OS Zone.

According to Table 130.25.020, communication facilities are permitted in the OS Zone with approval of a Conditional Use permit.

According to Table 130.25.030, OS Zone setbacks are 50 feet for front, sides, and rear, and maximum height is 25 feet. The setbacks are met by the proposed development. The combined height of the top hat and antennas atop the existing PG&E tower is 132 feet. According to Section 130.40.250.C of the Zoning Ordinance, an administrative permit is required for public utility infrastructure that exceeds the height limitations of the zone, but is less than 150 feet in height. Because the OS Zone requires a Conditional Use Permit for the proposed project, the additional height above what the OS Zone allows can be approved by the Conditional Use Permit.

130.40.130 Communication Facilities

Section 130.40.130 of the County Zoning Ordinance regulates wireless communication facilities. Section 130.40.130.A1 of the Zoning Ordinance requires that all wireless providers employ all reasonable measures to site their antennas on existing structures or collocate on existing towers prior to applying for new towers. The proposed antennas are being placed on the top of an existing PG&E tower, consistent with the Zoning Ordinance. Another goal is to create one structure that could potentially accommodate other wireless service providers serving the area. The applicant is not creating a structure to accommodate other future carriers; however, there are many other PG&E towers in the vicinity that may be able to accommodate other carriers.

Section 130.40.130.C thru H of the Zoning Ordinance requires that all wireless communication facilities meet certain criteria. Below is an analysis of these standards.

- C. Visual: Photo-simulations show the proposed development from three different locations (Exhibit F). The simulations include two views from the neighboring residential areas and one view from El Dorado Hills Boulevard. The antennas atop the 120 foot tall PG&E tower can be seen from all three vantage points. However, because of the trees in the vicinity of the tower, the homes and property fences, and the distance from the vantage points, the ground equipment compound and fencing cannot be seen. To blend with the existing tower, the antennas and top hat will be painted to match the colors of the exiting tower. The photo simulations would be used during the plan check permit process to ensure that the project conforms to the approved exhibits.
- D. Development Standards:
 - 1. Screening: The applicant is proposing to place equipment cabinets and support equipment within a 29 by 14 foot fenced equipment compound. The applicant does not propose any vegetation or fencing to blend with the surrounding area, although the vinyl slats in the fencing will be a brown color to blend with the surroundings. The top hat and antennas will be painted to match the colors of the PG&E tower. Top hat, antennas and ground equipment will be properly screened.

2. Setbacks: The OS Zone District requires a 50 foot setback from front, side, and rear property lines for the telecommunications facility equipment. The *Plot Plan and Site Topography, Sheet C-1* (Exhibit E), shows that all setbacks are met (46.2 feet to concrete slab plus additional 6.5 feet to equipment, total 52.7 feet). Concrete slabs and fences can be located within the setback.
 3. Maintenance: Maintenance personnel would visit the site once or twice a month, at which time the facility would be inspected to ensure proper operation. A condition is included to require the compound fencing, tower top hat and antennas, and ground support equipment be maintained at all times to be consistent with the features depicted in the visual simulations and elevations.
- E. Radio Frequency (RF) Requirements
Section 130.40.130.E of the Zoning Ordinance requires that the applicant submit a report or summary of the estimates of non-ionizing radiation generated by the facility and maximum electric and magnetic field strengths in all directions from the facility to the property lines of the facility site. The RF analysis, dated April 30, 2015, found that for a person on the ground, RF exposure levels are calculated to be less than one percent of the applicable exposure limits. At the top-floor elevation of any nearby residence, the RF exposure limit is one percent. The report concluded that the proposed cell tower operation will comply with the FCC guidelines limiting public exposure to RF energy.
- F. Availability
Section 130.40.130.F of the Zoning Ordinance requires that all existing communication facilities be available to other carriers as long as structural or technological obstacles do not exist. The antennas would be mounted on the top of an existing 120 foot tall PG&E tower. Since the tower is owned by PG&E, it is not known if other carriers could collocate on this tower. However, there are other PG&E towers in the vicinity that may provide collocation opportunity for other carriers.
- G. Unused Facilities
Section 130.40.130.G of the Zoning Ordinance requires that all obsolete or unused communication facilities be removed within six months after the use of that facility has ceased or the facility has been abandoned. The project has been conditioned to comply with this requirement.
- H. Other Permit Requirements
Section 130.40.130.H of the Zoning Ordinance provides certain notification requirements for projects located within 1,000 feet of a school or on residentially zoned lands governed by CC&Rs. The project parcel is on Open Space zoned land and no school is located within 1,000 feet of the project site. As such, no special notification procedures were required for this project.

Conclusion

After review of the site plans and visual simulations, it has been determined that the proposed project complies with the Zoning Ordinance and the standards contained in Section 130.40.130.C through H.

Noise: The project does not include HVAC units or a portable generator. There would be no noise created from the operation of this facility. Any noise generated from construction of the cell tower facility will be subject to General Plan Policy 6.5.1.11 reducing any noise impacts from temporary construction to less than significant.

ENVIRONMENTAL REVIEW

This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15301(b) of the CEQA Guidelines stating that Class 1 exemptions consist “of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination..” As a top hat with antennas are being attached to an existing PG&E tower and a small fenced compound built on the ground beneath the electrical wires, the installation of the cell tower facility is consistent with this exemption classification under CEQA.

Pursuant to Resolution No. 240-93, a \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption. The filing of the Notice of Exemption is optional; however, not filing the Notice extends the statute of limitations for legal challenges to the project from 35 days to 180 days.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings
Conditions of Approval

Exhibit A.....Location Map
Exhibit B.....Assessor’s Parcel Map
Exhibit C.....General Plan Map
Exhibit D.....Zoning Map
Exhibit E.....Site Plans, dated 02/17/16 on Sheet T-1
Exhibit F.....Visual Simulations

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FINDINGS

Conditional Use Permit S15-0017 / King Edward Verizon Zoning Administrator / May 4, 2016

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

1.0 CEQA FINDINGS

- 1.1 The proposed cell tower is Categorical Exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines. Class 1 exemptions consist “of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.” As a top hat with antennas are being attached to an existing PG&E tower and a small fenced compound being built on the ground beneath the electrical wires, the installation of the cell tower facility is consistent with this exemption classification under CEQA.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 The project is consistent with the Open Space (OS) land use designation of the subject site as defined by General Plan Policy 2.2.1.2. The project consists of a cell tower facility, which is consistent with the allowed uses for the OS zone district with an approved Conditional Use Permit.
- 2.2 As conditioned, and with adherence to the Zoning Ordinance, the project is consistent with all applicable Policies of the General Plan, including:
 - 2.2.1 Policy 2.2.5.21 (compatibility with surroundings) because as conditioned, it would be compatible with surrounding uses, have minimal impacts on visual resources, existing utilities, existing emergency response access and times, and will not create significant noises during operation. There are adequate services to facilitate the site, such as power and telephone communication facilities. The project provides improved cellular service, as well as internet and emergency communications to the El Dorado Hills area;
 - 2.2.2 Policy 5.1.2.1 (adequate utilities and public services) because the project will connect to existing electrical and telecommunication facilities currently existing on the property and utilize an existing PG&E tower to mount the antennas; and

- 2.2.3 Policy 6.2.3.2 (adequate access) because the project will utilize an existing dirt access road on the parcel and adjacent parcel to access El Dorado Hills Boulevard.

3.0 ZONING FINDINGS

- 3.1 The project site is zoned Open Space (OS), which allows wireless communication facilities with an approved conditional use permit, provided the applicant follow standards and permitting requirements defined in Section 130.40.130 of the Zoning Ordinance. These standards include visual, screening, compliance with setbacks, proper maintenance, RF requirements, availability, unused facilities, and additional noticing requirements.
- 3.2 As proposed and conditioned, the project meets all applicable development standards contained within the Zoning Ordinance because the standards listed in 3.1 above have been provided and/or conditioned.

4.0 CONDITIONAL USE PERMIT FINDINGS

4.1 The issuance of the permit is consistent with the General Plan.

The proposed use is consistent with the policies and requirements in the General Plan as discussed in the General Plan section of the Staff Report. The proposed use is consistent with all applicable policies as set forth in Finding 2.0 above.

4.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.

The use will not significantly conflict with the adjacent uses as the ground-support equipment will be buffered from view by a chain-link fence with vinyl slats, and the top hat and antennas will be buffered by being painted to match the existing tower. As conditioned, the project is anticipated to result in insignificant environmental impacts to neighboring residents. The proposed use is not anticipated to create hazards that would be considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood based on the data and conclusions contained in the staff report. At one percent or less of the public safety standard established by the FCC at the project site, the risk of RF emissions to the surrounding public is remote.

4.3 The proposed use is specifically permitted by Conditional Use Permit.

Because the proposed use complies with the requirements of Zoning Ordinance Section 130.40.130.C through H (development standards/conditions) and 130.25.030 (minimum yard setbacks for OS Zone District), the cell tower facility is a specifically permitted use with an approved Conditional Use Permit.

CONDITIONS OF APPROVAL

Conditional Use Permit S15-0017 / King Edward Verizon Zoning Administrator / May 4, 2016

Planning Services

1. This Conditional Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Exhibit ESite Plans, dated 02/17/16 on Sheet T-1

Exhibit F.....Visual Simulations

Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

Approval of the Conditional Use Permit allows the construction and operation of a new wireless communication facility to support cellular transmission within the 5.7 acre parcel identified by Assessor's Parcel Number 125-500-06, and consisting of the following:

- a. Up to six panel antennas mounted centerline at the height of 128 feet on a 12-foot-tall top hat that is mounted on top of an existing 120-foot-tall PG&E tower, for a maximum height of 132 feet;
- b. One 35 by 20 foot raised concrete slab;
- c. One 29 by 14 foot fenced ground equipment compound to house equipment cabinets and associated equipment atop the concrete slab; and
- d. A 6-foot-tall chain link fence with brown vinyl slats and barbed wire enclosing the equipment compound.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

Planning Division

2. **Expiration:** Pursuant to Zoning Ordinance Section 130.54.060.A, implementation of the project shall occur within 24 months of approval of this permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit

and make diligent progress toward implementation of the project and compliance with Conditions of Approval.

3. **Responsibility for Interference:** The applicant shall assume full responsibility for resolving television reception interference or other electrical interference caused by the operation of this facility. The applicant shall take corrective action within 30 days of the receipt of any written complaint.
4. **Facility Appearance and Screening:** All equipment, cabinets or other auxiliary structures shall be painted in a matching color to comply with the screening requirements of Section 130.40.130.D1 of the Zoning Ordinance. The chain link fence shall include vinyl slats of a brown color. The top hat and antennas shall be painted with non-reflective paint to match the colors of the PG&E tower. Planning Services shall verify the appearance of all structures prior to final inspection and approval of the facility.
5. **Facility Maintenance:** All improvements associated with the communication facility, including equipment shelters, antennae, and fencing shall be properly maintained at all times. Colors of the panels, equipment enclosure, and other improvements visible to the public shall be maintained to ensure the appearance remains consistent.
6. **Conditions Compliance:** Prior to issuance of a building permit or commencement of any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to Building Permit final for any Building Permit for verification of compliance with applicable Conditions of Approval.
7. **Obsolete Equipment:** All obsolete or unused communication facilities shall be removed within six months after the use of that facility has ceased or the facility has been abandoned. The applicant shall notify Planning Services at the time of abandonment and all disturbance related to the communication facility shall be restored to pre-project conditions.
8. **Compliance Responsibility:** The operator (lessee) and property owner (lessor) are responsible for complying with all conditions of approval contained in this Conditional Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the owner and the operator.
9. **Payment of Processing Fees-Development Services:** The applicant shall make the actual and full payment of Planning and Building Services processing fees for the conditional use permit and building permit prior to issuance of a building permit.
10. **Archeological Resources:** The following shall be incorporated as a note on the grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archaeological resource”, contingency funding, and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.

If the find is determined to be a “unique archeological resource”, the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a “nonunique archeological resource”.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

11. **Human Remains:** The following shall be incorporated as a note on the grading/improvement plans:

In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The Coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the Coroner of the discovery or recognition of the human remains. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in

accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

12. **Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The developer and land owner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a conditional use permit.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

Air Quality Management District (AQMD)

13. **Asbestos Dust:** Current county records indicate this subject property is located within the Asbestos Review Area. An Asbestos Dust Mitigation Plan (ADMP) application with appropriate fees shall be submitted to and approved by the AQMD prior to project construction if a grading permit is required by the County or if the project moves more than 20 cubic yards of soil (Rules 223 and 223.2). The project shall adhere to the regulations and mitigation measures for fugitive dust emissions asbestos hazard mitigation during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.2.
14. **Paving:** Project construction may involve road development and shall adhere to AQMD Rule 224 Cutback and Emulsified Asphalt Paving Materials (Rule 224).
15. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
16. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found here:

http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf. Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.

17. **New Point Source:** Prior to construction/installation of any new point source emissions units (i.e., emergency standby engine greater than 50hp, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors (Rule 501 and 523)
18. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.

Environmental Management

19. Under the CUPA program, if the operation will involve the storage of reportable quantities of hazardous materials (55 gallons, 500 lbs, 200 cubic feet) for backup power generation, a hazardous materials business plan for the site must be submitted to the Community Development Agency / Environmental Management Division and applicable fees paid.