

**San Joaquin Valley
Unified Air Pollution Control District**

Indirect Source Review

And

**Voluntary Emission Reductions
Agreement (VERA)**

Air & Waste Management Association (AWMA)



San Joaquin Valley Unified Air Pollution Control District

Part I

Indirect Source Review (DISTRICT RULE 9510)



Rule 9510 - Overview

- **Basis**

Rule 9510 is a commitment in the EPA approved PM10 Attainment Plan

- **Objective**

Reduce emissions of NO_x and PM10 associated with development projects within the San Joaquin Valley

- **Target**

10.1 tons of emission reductions/day (NO_x+PM10)

- **Emissions Sources**

Project construction exhaust & operational emissions



Rule 9510 – Effective Dates

- Adopted December 15, 2005
- Effective March 01, 2006
 - Projects receiving Final Discretionary approval **after March 01, 2006**, and
 - Equaling or exceeding applicability thresholds are subject to rule requirements



Rule 9510 - Thresholds

- **Development Projects:**
 - 50 residential units
 - 2,000 sq ft of commercial space
 - 25,000 sq ft of industrial space
 - 25,000 sq ft of medical office space
 - 39,000 sq ft of general office space
 - 9,000 sq ft of educational space
 - 10,000 sq ft of government space

- **Transportation/Transit Projects:**
 - Construction exhaust emissions exceeding 2.0 tons of NO_x or PM₁₀



Rule 9510 - Exemptions

- Exemption from Rule Requirements
 - Reconstruction of a damaged building to essentially the same use
 - Stationary Sources facilities with main activity subject to District regulation
- Exemption from mitigation requirements
 - Projects with a mitigated baseline below 2 tons/year



Rule 9510 - Requirements

- Construction Equipment
 - NOx: 20% Cleaner than California Fleet Average
 - PM10: 45% Cleaner than California Fleet Average
- Operational Emissions (Area and Mobile Sources)
 - NOx: 33% Reduction vs unmitigated baseline
 - PM10: 50% Reduction vs unmitigated baseline



Rule 9510 - On-site Reductions

- Type of Reductions
 - Cleaner construction equipment (vs State Fleet avg)
 - Project design elements
 - Energy efficiency
 - Minimize Vehicle Miles Traveled (VMT)
- Benefits
 - Achieve immediate emission reductions
 - Emissions reductions directly benefit local community
 - Minimize off-site mitigation fees



Rule 9510 - Off-site Mitigations

- Off-site Mitigation Fees
 - Calculated based on the difference between emission reductions required by the rule and those achieved through on-site measures
- Benefits
 - Mitigate project's impact on air quality (CEQA)
 - Fees used to fund emission reduction projects within the District



Rule 9510 - Successes

- Prevailed in all legal challenges, to date
- Changes in building practices:
 - Use of Clean construction fleet
 - Project design elements
- Projected emission reductions (2006-2010)
 - On-site reductions: 3,500 tons
 - Off-site reductions: 3,300 tons
- Integrated into the land use approval process



San Joaquin Valley Unified Air Pollution Control District

Part II

ISR / CEQA / VERA



ISR / CEQA / VERA

- **ISR:** District Rule requiring emission reductions from development projects
- **CEQA:** Law requiring Lead Agency to identify project-specific environmental impacts, determine the significance of those environmental impacts, and implement all feasible mitigation measures
- **VERA:** Voluntary Emission Reduction Agreement: tool used by project proponent and/or Land Use Agencies to mitigate project air impacts



ISR / CEQA / VERA

- Recommendations when preparing CEQA document
 - Discuss that project is subject to District Rule 9510
 - Discuss mandatory emission reductions achieved through rule compliance
 - Acknowledge that regulatory compliance is not mitigation but does reduce project related impacts
 - Compliance may not reduce project related impacts to less than significant levels
 - Discuss any project specific mitigation measures, i.e. Voluntary Emission Reduction Agreement (VERA)



VERA

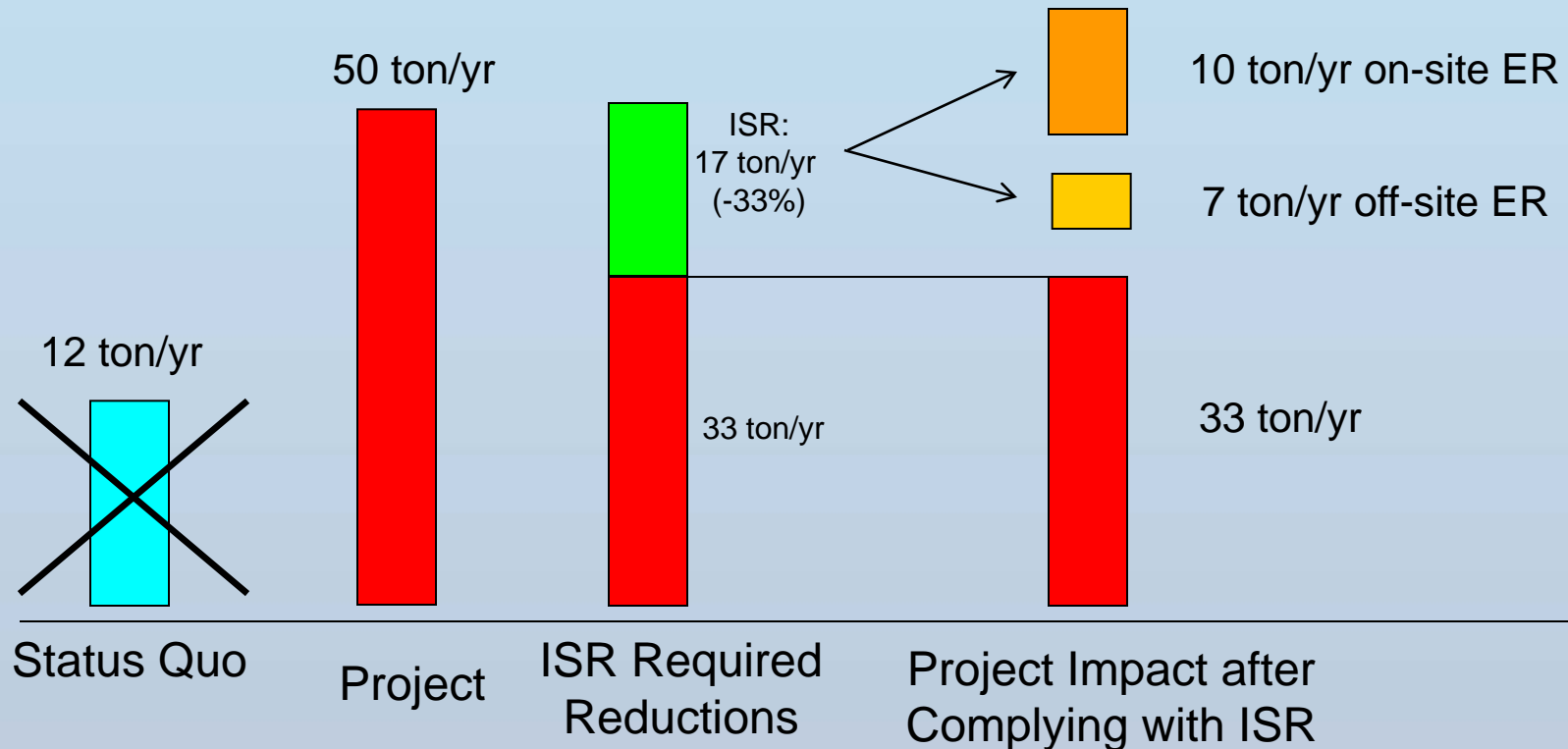
- VERA is tool used by project proponent and LUA to mitigate project air impacts
- Project proponent provides monies to the District to fund emission reduction projects
- District implements the contract and achieves emission reductions on behalf of the project proponent
- The District verifies emission reductions achieved and ensures the enforceability of achieved reductions
- Since 2005, the District has entered into seventeen VERA with developers and achieved 1,393 tons of NO_x and PM₁₀ reductions per year
- VERA is a feasible mitigation measure, which effectively achieves emission reductions



ISR Evaluation & Mitigation (Operational)

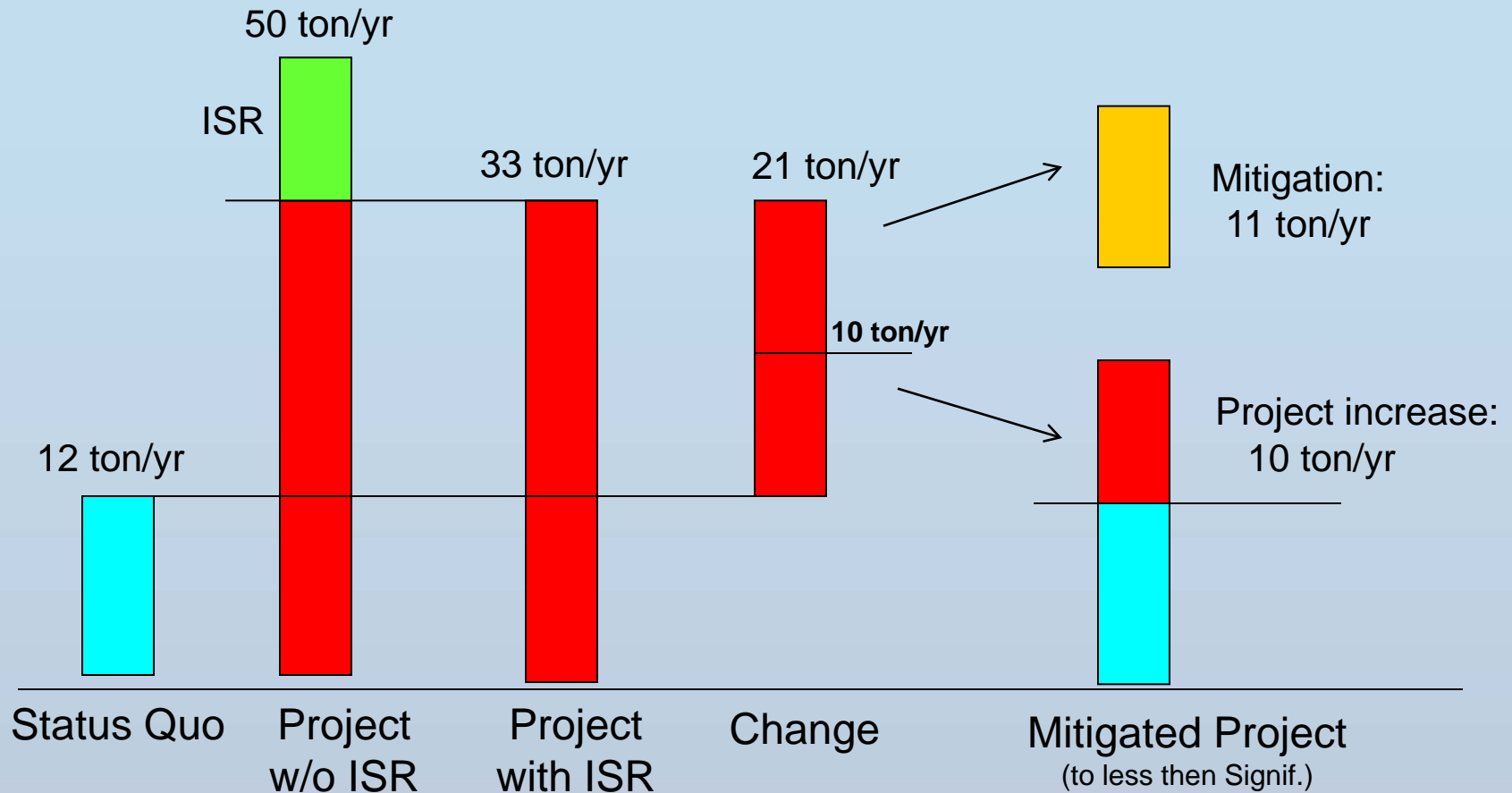
- Projects are evaluated to characterize increase in development emissions without considering status quo

Project example (NO_x emissions)



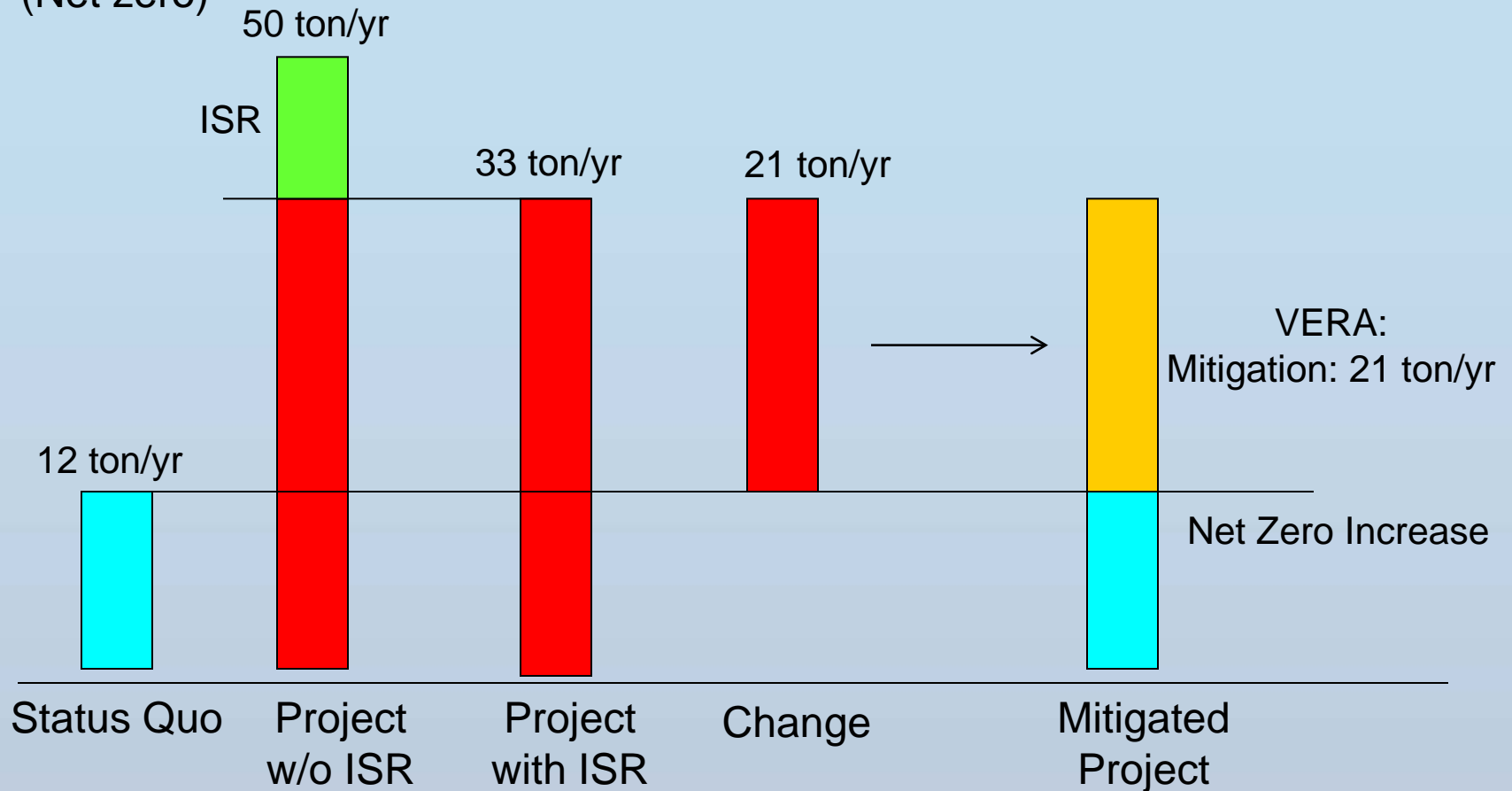
CEQA Evaluation & Mitigation

- Significance evaluated as a change in baseline emissions (status quo)



VERA Evaluation & Mitigation

- Projects mitigated down to level proposed by applicant or imposed by LUA (Net zero)



Contact Info

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