



Legislation Details (With Text)

File #: ID 21-780 **Version:** 1 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 10/22/2021 **In control:** City Council

On agenda: 11/4/2021 **Final action:**

Title: RESOLUTION - Reaffirming the City's compliance with the San Joaquin Valley Air Pollution Control District Rule 9510 (Indirect Source Review) and to direct staff to explore the feasibility of developing required standard conditions of approval to exceed the Rule 9510 requirements.

Sponsors: Planning and Development Department

Indexes:

Code sections:

Attachments: 1. Resolution, 2. SFCA Agreement_Additional Information Revised 3-11 21

Date	Ver.	Action By	Action	Result
11/4/2021	1	City Council	tabled	Pass

REPORT TO THE CITY COUNCIL

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SUBJECT

RESOLUTION - Reaffirming the City's compliance with the San Joaquin Valley Air Pollution Control District Rule 9510 (Indirect Source Review) and to direct staff to explore the feasibility of developing required standard conditions of approval to exceed the Rule 9510 requirements.

RECOMMENDATION

Staff recommends approval of the resolution reaffirming the City's compliance with the San Joaquin Valley Air Pollution Control District Rule 9510 (Indirect Source Review) and to direct staff to explore the feasibility of developing required standard conditions of approval to exceed the Rule 9510 requirements.

EXECUTIVE SUMMARY

The City of Fresno entered into a Settlement Agreement March 17, 2021 with the South Fresno Community Alliance and Leadership Counsel for Justice and Accountability, requiring the City to consider approval of a resolution for the incorporation of emission reduction measures into development projects to reduce emissions occurring during construction and operational phases of the project to meet or exceed compliance with the emission reduction requirements of San Joaquin

Valley Air Pollution Control District (District) Rule 9510. The proposed resolution reaffirms the City's continued commitment to enforcement of the District Rule 9510 and directs staff to explore the feasibility of developing additional standard conditions of approval to exceed the Rule.

BACKGROUND

On March 17, 2021, the City entered into a Settlement Agreement with the South Fresno Community Alliance and Leadership Counsel for Justice and Accountability regarding a proposed development within the South Central Fresno area. As part of the settlement agreement, the City is required to consider a resolution requiring development projects identify emission reduction measures to meet or exceed compliance with the requirements outlined in District Rule 9510 and that are specifically designed to reduce impacts in the location of the proposed development.

The District adopted the Indirect Source Review Rule 9510 on December 15, 2005, with the intention to achieve emissions reductions from construction and use of development projects through design and on-site mitigation measures. Applicants seeking discretionary approval for large development projects are subject to Rule 9510 and are required to submit an Air Impact Assessment (AIA) application to the District prior to applying for final discretionary approval. The AIA application outlines the project's emissions reduction checklist, monitoring and reporting schedule, fee deferral schedule, and an air impact assessment. The District reviews and approves the AIA independent of the City planning process.

To ensure compliance, the City Planning Division requires submission of the completed AIA application with a development application for projects subject to the Rule. Should an applicant fail to provide this documentation, their development application will be considered incomplete and will not move forward.

The proposed resolution for consideration supports current departmental processes and reaffirms the City's commitment to enforcing compliance with the District's Rule 9510. Additionally, the proposed resolution directs staff to research and explore the feasibility of developing additional standards that could exceed the Rule 9510 requirements. Recommendations that are developed shall be incorporated into the public draft of the South Central Specific Plan for public comment and review.

ENVIRONMENTAL FINDINGS

This is not a "project" for purposes of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

LOCAL PREFERENCE

Not applicable.

FISCAL IMPACT

This resolution has no General Fund impact.

Attachment:

Resolution

SFCA Agreement_Additional Information Revised 3-11 21

