

**Sacramento Regional
8-Hour Ozone Attainment And
Reasonable Further Progress Plan And
Environmental Impact Report**

Public Comments and Staff Responses at the Public Hearing

February 6, 2009

PUBLIC COMMENTS

Public Hearing Comments (Sacramento, Jan 22, 2009)

Comment 1: **Bill Mueller, CEO of Valley Vision, Managing Partner for Cleaner Air Partnership**

The SIP is imperative and necessary for both our health and economic well being. The Cleaner Air Partnership at the conceptual level is very supportive of the SIP, while there is a concern over the uniformity of the rules in the Sacramento Nonattainment Area. Some rules and control measures are being required to be adopted in some jurisdictions within the nonattainment area but not every jurisdiction. For a level playing field for the business community but also for the general benefit of public health, this needs to be addressed. For example, an asphalt rule is being applied in Sacramento County but not in the Yolo-Solano air district. We would like to see common ground in both areas. Also, an auto-refinishing rule is being applied in Sacramento County but not in El Dorado County. We would like to see a common set of rules, so that the region should have as much air quality benefits as possible and also an even playing field for the business community operating here. In general, we support the work by District staff in putting together a really collaborative process that has engaged the public.

Response: *Several Board members responded on the need to address rule uniformity across the region and agreed that it was better for business to have a level playing field to prevent an unfair competitive advantage and to protect economic interest in the Sacramento region. The Board later concurred that an appropriate and reasonable action would be to provide direction to the APCO to communicate this concern to the other air districts in the Sacramento region.*

With respect to the potential lack of uniformity with Yolo-Solano AQMD's control of asphalt plants, the Yolo-Solano AQMD was contacted after the public hearing. Yolo-Solano AQMD's permit conditions specify that these sources use low-NOx burners and flue gas recirculation. At the time this rule was analyzed as a potential control measure, the Yolo-Solano AQMD analysis showed that adopting a rule would net very minimal reductions, because it wouldn't be requiring the sources to do anything they're not doing now. This analysis was part of the required demonstration to provide for the implementation of all reasonably available control measures (RACM) as expeditiously as practicable for the Sacramento ozone nonattainment area. The RACM demonstration was discussed in Chapter 7 and Appendix H of the 8-Hour Ozone Plan. Once an asphalt concrete rule is adopted by the SMAQMD and PCAPCD, the Yolo-Solano AQMD will evaluate whether adopting an equivalent rule will net additional emission reductions, as part of the state requirements for adopting all feasible measures.

Mr. Mueller's comments regarding the potential inequity of the automotive refinishing rule in the El Dorado County AQMD are noted, and these concerns have been communicated to the El Dorado County AQMD. With respect to the measure's air

quality benefits, the El Dorado County AQMD analysis of reasonably available control measures determined that the more stringent automotive refinishing requirements would provide minimal VOC emission reductions, and therefore did not recommend this measure for SIP adoption. These reductions were also included in the RACM evaluation.

Comment 2: Sue Teranishi, Breathe California, Co-Chair of Policy Committee

Breathe California of Sacramento Emigrant Trails strongly supports adoption of the proposed SIP. The causal relationship between air pollution and lung and heart disease is clear. Breathe California has conducted seven studies specific to the Sacramento region identifying the health effects of air pollution. The health issues are serious. The proposed SIP will ensure that the region will reduce emissions at the required minimum rate of 3% per year and meet the new 8-hour ozone standards by 2018. The result will be improved public health for all and particularly for the tens of thousands of children who suffer from asthma in the community. Although the region has made progress in reducing air pollution, the region will not attain the new health-based standards without new controls. The SIP also outlines new strategies including indirect source rules and tree mitigation strategies, which Breathe California strongly supports.

Response: *Comment noted.*

Comment 3: Rick Bettis, Volunteer representing both League of Women Voters of Sacramento County and Sacramento County Sierra Club

Both League of Women Voters of Sacramento County and Sacramento County Sierra Club strongly agree that the Board support and pass the Plan and urge them to do so. Mr. Bettis commended air district staff for a thorough and professional job in their outreach to all aspects of the community, including the business community. Mr. Bettis agreed with the previous speakers on the benefits of this Plan. Some of the measures that reduce vehicle miles traveled (VMT) and overall emissions will also have a secondary benefit of reducing particulate matter and greenhouse gases. They are critical issues that we have to face up to very shortly.

Response: *Comment noted.*

Comment 4: Christal Waters, Member of Policy Advisory Committee of Breathe California and a bicyclist

Ms. Waters was thankful for the improvements in air quality to date. An increase in Spare The Air days is a discouragement to anybody who wants to get out and bicycle, for exercise, to work or do errands. By reducing the number of Spare The Air days, it removes an impediment and encourages people to use their bicycles for everyday activities. Ms. Waters urged the Board to pass the Sacramento Regional 8-Hour Ozone Attainment Plan. In addition to health benefits from the Plan, federal rules

require the Plan include reasonable further progress toward attainment in order to obtain federal funding for infrastructure. This includes funding for Complete Streets, Safe Streets, and Safe Routes to Schools, which we really support. The new federal administration has indicated its intent to heavily invest in infrastructure to pull the nation out of its economic doldrums. It is hoped that the passage of this Plan will help speed that public investment. Because the Plan has been developed in agreement with the Sacramento Blueprint, the State and the region stand ready to receive whatever additional federal funding might be coming its way.

Response: *Comment noted.*

Comment 5: Jim Howard, Volunteer with American Lung Association of California

The American Lung Association of California strongly supports the adoption of the Plan. Mr. Howard highlighted the inclusion of the Indirect Source Rule in this SIP which not only addresses the health concerns but also makes the Sacramento area an attractive and livable place.

Response: *Comment noted.*

Comment 6: Lauren Navarro, Environmental Defense Fund

Environmental Defense Fund (EDF) strongly supports the Board's adoption of the SIP and Transportation Control Measures (TCM). The air districts' analysis of feasible measures to include in the Plan has been comprehensive and thorough. The combination of the control measures the air districts selected are cost effective and will achieve the needed reduction for the region to meet the federal clean air requirements and protect public health. EDF highlighted the proposed construction mitigation rule and ISR. ISR has proven to be a successful and feasible control measure in other parts of the state. In particular, the inclusion of the ISR will help promote the growing local and statewide demand to develop projects that are transit accessible and support walkable communities that are close to jobs and services, while supporting a healthy environment. EDF encourages the Board to vote for the SIP and TCMs as well as the inclusion of the ISR control measure in this SIP.

Response: *Comment noted.*

Comment 7: Jason Crow, Senior Planner of Sacramento Area Council of Governments (SACOG)

SACOG supports the adoption of the SIP documents. The SIP is especially important since all of the SACOG transportation plans and programs adopted for the region must demonstrate conformity. Without the SIP budgets, SACOG cannot demonstrate conformity and the region will enter into a conformity lapse. Basically, the conformity lapse means federal transportation dollars will be cut off and federal agencies cannot approve environmental documents. The potential impacts of not acting would be huge and SACOG feels that the timing is critical. SACOG anticipates the federal

approval of the economic stimulus package and reauthorization of the federal transportation bill within this next year. The region does not want to jeopardize these two opportunities for funding and improving the region's transportation infrastructure. SACOG understands the important role of emissions coming from the transportation sector and SACOG has taken that into account in developing the region's transportation plan. This SIP is important to meet the clean air goals for the region as well as implementing the region's transportation plan and program.

Response: *Comment noted.*

Comment 8: **John Allison, Environmental Council of Sacramento, Co-Chair of the Transportation, Air Quality and Climate Change Committee of ECOS**

ECOS supports the adoption of the Plan and also wants to acknowledge the air district staff for a progressive and responsible Plan. ECOS especially supports the ISR and Construction Mitigation Rule which will help make our friends from the development community partners in the improvement of air quality in the region. ECOS is currently working with the Building Industry Association to get more money for public transit and promote infill and transit-oriented development. In 2009, ECOS Board President is Dr. Alex Kelter, a retired public health doctor. So, the health aspect of environmentalism, particularly air quality, is very important to ECOS this year. This Plan is a big part of this. It is also consistent with Blueprint. Everyone throughout the state is looking at the Sacramento region to see how the implementation of SB375 is going to occur because it is modeled after the Sacramento Blueprint. The Plan is an important part of it. ECOS wants to mention that modifying air quality standards in the name of economic recovery is shortsighted. It is a quick fix. Everyone has to breathe. I was at one environmental law convention a couple of years ago and a mayor of a small Southern California town came up and started by saying "I'm not a tree hugger, I'm an air hugger." Everyone has to breathe the same air. So, ECOS supports all elements of the Plan and urges the Board to adopt it.

Response: *Comment noted.*

Comment 9: **Becky Wood, Environmental Manager with Teichert and Member of Sacramento Metro Chamber of Commerce**

Ms. Wood expressed concern that a new asphalt plant control measure proposed in the SIP was being planned for adoption everywhere but Yolo County. Yolo County has five asphalt plants. It is unconscionable that the five asphalt plants in Yolo County are allowed to not lower their emissions when the rest of the region will have to update their asphalt plants. Ms. Wood was also concerned that the proposed automotive refinishing control measure would be adopted everywhere in the Sacramento region except El Dorado County. The Mercedes dealership in El Dorado Hills will not have to experience the same costs of doing business as the auto dealerships in Folsom, because the same rules will not apply in that situation. She

encouraged the Sacramento District to reach out to the other air districts and encourage them to all adopt similar rules as part of the SIP to ensure that an even hand gets applied across the region. Finally, with regard to the proposed Indirect Source Rule for Construction, Ms. Wood commented on how the way things are being applied haphazardly on the CEQA documents right now. What was applied before is not being applied now, which leads to again a rather uneven playing field. To have a rule out there that everyone is doing the same thing at the same time will actually make life much easier from the construction side. So, there shouldn't be a problem with what's being proposed for the Indirect Source Rule for Construction.

Response: *See Response to Comment 1.*

Comment 10: **Anne Geraghty, Executive Director of Walk Sacramento**

Walk Sacramento was very pleased with the recognition of the good transportation measures particularly Complete Streets and Safe Routes to Schools. In fact that in the area of Complete Streets, the Sacramento region is considered a national leader because of all that is going on. It is an important recognition. We almost take it for granted but this is a good sign. Walk Sacramento supports this Plan, and this is one of the best plans the region has come up with in terms of air quality, particularly in transportation. Please adopt.

Response: *Comment noted.*

Comment 11: **Joshua Wood, Sacramento Builders Exchange**

The Sacramento Builders Exchange informed the Board that they haven't had any outreach on this issue and really haven't been included in the process. They feel it is important to be involved in this process. They requested that the Board defer the SIP adoption until the next meeting. Mr. Wood said that they have no problem with anything he's seen with just a cursory review, but his members are the ones that should have a chance to look at the Plan.

Response: *The public input process on SIP control measures started over two years ago. This Plan has been a topic of broad conversation in this forum, at SACOG, and a number of other venues, including the Cleaner Air Partnership.*

The building industry was identified as somebody who should have a say on this, and the APCO and the Program Coordination Division Manager have already been to the Building Industry Association (BIA) on several occasions to present this Plan and the proposed Indirect Source Rules and continue to have dialogue with them. There were 3,500 mailings and 2,000 e-mails. The Sacramento Builders Exchange, and probably a number of its members, were on the mailing list. In addition, on August 5, 2008, the Sacramento Builders Exchange was mailed an invitation to a special meeting to discuss the ISR rules, but did not attend.

Delaying action on this plan would delay approval of the transportation budgets. The SACOG Board anticipates using the new approved budgets on updates to its transportation plan in June 2009

The Board directed the air district staff to make sure the Sacramento Builders Exchange is on SMAQMD's communication list for outreach. The Board also requested the APCO to work with Mr. Wood to give a presentation to the members of the Sacramento Builders Exchange, so that they are being informed on the SIP and the air quality planning and transportation conformity process. The meetings have been scheduled for February 10, 2009 with Mr. Wood, Political Director, and the general membership in April 2009.

Attachment a

Public Comments On December 19, 2008 Plan.

Note: No new issues raised. No responses prepared.



January 12, 2009

Board of Directors
c/o Steven Lau
Sacramento Metropolitan Air Quality Management District
777 12th Street, 3rd Floor, Sacramento, CA 95814

Re: Support for adoption of State Implementation Plan including the Indirect Source Rule

Dear Board Members,

Environmental Defense Fund supports the comprehensive Regional 8-hour Ozone Attainment and Reasonable Further Progress Plan, or State Implementation Plan (SIP). We especially support the inclusion of an Indirect Source Rule (ISR), which has been a proven method to reduce emissions from new development projects and ensure that the reductions are achieved over the long run. We strongly urge the Board to adopt the SIP, including the ISR, at the upcoming January 22nd Board hearing.

Adopting the proposed measures in the SIP is necessary in order to achieve federal attainment of air quality standards and improve public health in the region. The SIP also complements the goals of other state, regional, and local policies to clean our air, create more livable cities, and provide better transportation options. Efforts to reduce vehicle pollution and enhance our urban forest, for example, will yield substantial co-benefits that limit greenhouse gas emissions and help the state meet its objectives to fight global warming under AB 32. Likewise, new transportation control measures and an Indirect Source Rule for new development projects reinforce sustainable, smart growth objectives codified by SB 375 and the SACOG blueprint.

EDF strongly recommends the adoption of the SIP, with the ISR as a critical part of the plan. We look forward to continuing to work with the SMAQMD Board and staff during the rule development process to ensure the proposed air quality improvements are realized.

Sincerely,

A handwritten signature in black ink that reads 'Kathryn Phillips'.

Kathryn Phillips
Director, California Transportation and Air Initiative

A handwritten signature in black ink that reads 'Camille Kustin'.

Camille Kustin
Policy Analyst

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*Breathe California of
Sacramento-Emigrant
Trails is dedicated to healthy
air and preventing lung and
other air-pollution related
diseases by partnering
with youth, advocating
public policy, supporting
air pollution research, and
educating the public.*



January 16, 2009

Steven Lau
Sacramento Metropolitan Air Quality Management District
777 12th St. 3rd Floor
Sacramento, Ca. 95814

Dear Mr. Lau,

Breathe California of Sacramento Emigrant Trails strongly supports adoption of the proposed Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan (SIP).

The causal relationship between lung and heart disease and air pollution is clear. The SIP as proposed will ensure that our region will reduce emissions at the required minimum rate of 3% per year and meet the new 8 hour ozone standards by 2018. The result will be improved public health for all and particularly for the tens of thousands of children who suffer from asthma in our community.

Although we have made progress in reducing air pollution we will not attain new health based standards without new controls. The SIP also outlines new strategies including indirect source rules and tree mitigation strategies which we strongly support.

We look forward to participating in the SIP hearing and applaud the District Board and staff's leadership.

Sincerely,


Jane Hagedorn



January 21, 2009

Steven Lau
Sacramento Metropolitan Air Quality Management District
777 12th St. 3rd Floor
Sacramento, Ca. 95814

Dear Mr. Lau,

WALKSacramento is pleased to support the proposed Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan (SIP).

This 8-Hour Ozone SIP recognizes the importance of providing transportation to all users – bicyclists, walkers, transit riders not just drivers. We are particularly pleased with the recognition of the importance of **Complete Streets** – streets that provide for all users including pedestrians and bicyclists – as one of the transportation measures needed to bring good air quality to our region. We are pleased, too, with the recognition of the importance of **Safe Routes to School** to enable our children to walk and bicycle to school. Complete Streets and Safe Routes to School are both key ingredients of making our region walkable, bikable and transit friendly. In fact, Complete Streets is a key ingredient to **expanding our transit network**. Many more people will choose transit if they can get to transit safely and conveniently on foot. The lack of sidewalks and safe pedestrian crossings is a major barrier to effective transit.

WALKSacramento is working as part of the Partnership for Active Communities' Complete Streets Coalition to accelerate our region's achievement of Complete Streets.

We urge approval of this new air quality plan.

Sincerely,

Anne Geraghty
Executive Director



909 12th Street Ste 114 Sacramento, CA 95814 (916) 444-6600 www.sacbike.org

January 21, 2009

Advisory Board

Jane Hagedorn
CEO
Breathe California of
Sacramento-Emigrant Trails

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Steven Lau
Sacramento Metropolitan Air Quality Management District
777 12th St. 3rd Floor
Sacramento, Ca. 95814

Re: Sacramento Regional 8-Hour Ozone Attainment and Reasonable
Further Progress Plan (SIP)

Dear Mr. Lau,

The Sacramento Area Bicycle Advocates supports adoption of the proposed
Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further
Progress Plan (SIP).

Air pollution causes and exacerbates lung disease. Many cyclists are
motivated to bike precisely because of our poor air quality, yet ironically they
may suffer from the effects of trying to do the right thing. Poor air quality not
only turns existing cyclists into victims, it discourages potential cyclists.

We need to make continuing progress in reducing air pollution until we have
clean air. We will not attain new health based standards without new
controls.

SABA is an award-winning nonprofit organization with more than 1,400
members. We represent bicyclists. Our aim is more and safer trips by bike.
We're working for a future in which bicycling for everyday transportation is
common because it is safe, convenient and desirable. Bicycling is the
healthiest, cleanest, cheapest, quietest, most energy efficient and least
congesting form of transportation.

Yours truly,

Walt Seifert
Executive Director