



December 04, 2020

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SUBJECT: Tiered Environmental Review of Single-Family Home Projects in Ventura County  
2018 Community Development Block Grant Disaster Recovery

Air Pollution Control District (APCD) staff is responding to a request by the California Department of Housing and Community Development (HCD) regarding the Community Development Block Grant - Disaster Recovery (CDBG-DR) program. The CDBG-DR program, or project, will provide grants to owner-occupied homeowners to rehabilitate or reconstruct homes damaged or destroyed by the 2018 wildfires. The HCD has requested of APCD to address the project work and compliance with Federal and State air quality standards.

APCD is the air district in Southern California with jurisdiction over Ventura County that regulates and permits stationary sources of air pollution and is responsible for attaining the state and federal ambient air quality standards. The APCD also conducts and assists lead agencies in their environmental reviews as a commenting or responsible agency pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). APCD routinely prepares and adopts air quality management plans (AQMPs) which lay out the air district's plan to attain the ambient air quality standards of any criteria pollutants in non-attainment status. As a result, the APCD focuses on reducing ozone precursor emissions, reactive organic compounds (ROC) and nitrous oxides (NOx), and particulate matter (PM).

The project is a grant program for the assistance of single-family homes damaged during the 2018 wildfires. It is administrative in nature (no air emissions) and would not contribute to any ambient air quality violations. However, once funds are site-specifically disbursed to homeowners, those renovations will become projects that may be subject to an environmental review upon submission to their respective discretionary authority (County of Ventura or City's). If subject to environmental review, the projects will be reviewed for potential air quality and greenhouse gas impacts which may include quantifying construction (grading, demolition, paving, painting, construction, etc.) and operational emissions (natural gas usage, electricity, water, vehicle trips). On a case-by-case basis, i.e. an individual single-family dwelling to be demolished and/or constructed, the expected air emissions would be negligible, or less than significant and therefore would not violate any ambient air quality standards in Ventura County. For example, the Air Quality Assessment Guidelines (AQAG) contain screening analysis tables by land use type for the ozone precursors ROC and NOx. Appendix F on Page F-12 indicates that a project may exceed the operational thresholds of 5 lbs./day for either pollutant in the Ojai Valley or 25 lbs./day for remainder of County if it contains more than 54 dwelling units, or 284 dwelling units, respectively (Single Family Detached Housing Category). Thus, the air emissions

expected from 1 single-family dwelling would be substantially less than the recommended threshold for significant impacts on air quality (note, NEPA has even higher thresholds of significance 25 tons/year VOC or NO<sub>x</sub>; AQAG Section 8.3). A PDF copy of the AQAG can be found [here](#). Furthermore, the emissions projected in the AQAG screening analysis tables are an overestimation when the turnaround of the on-road vehicle fleets since 2003 is considered and with the proposed upgrades required to meet the 2019 Building Energy Efficiency Standards.

If a site-specific project is not subject to environmental review (ministerial action), it is still subject to all applicable APCD rules and regulations, including but not limited to Rule 50, Opacity, Rule 51, Nuisance, Rule 55, Fugitive Dust, Rule 62.7 Asbestos Demolition and Renovation, and Rule 74.2, Architectural Coatings. Enforcement of APCD rules for residential land uses are on a complaint-driven basis upon verification and can be added as standard conditions of approval in either Grading Permits, Building Permits, or Residential Planned Development Permits with the Lead Agency. Compliance with APCD rules and regulations and applicable state air quality regulations would ensure that the ambient air quality standards are met to the greatest extent feasible. The greatest air emissions are expected to be generated from the construction/renovation operations, particularly grading, which uses the most amount of type of diesel off-road construction equipment with the greatest NO<sub>x</sub> and PM emissions.

Below are recommended emission reduction measures that are either added as standard conditions of approval for residential or construction projects and/or mitigation measures for environmental review.

## 1) CONSTRUCTION- FUGITIVE DUST

**Purpose:** To ensure that fugitive dust and particulate matter that may result from site preparation, construction and/or grading activities are minimized to the greatest extent feasible.

**Requirement:** The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust).

**Documentation:** The project applicant shall ensure compliance with the following provisions:

- I. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust;
- II. Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water should penetrate sufficiently to minimize fugitive dust during grading activities;
- III. All trucks shall cover their loads as required by California Vehicle Code §23114.
- IV. Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means (except during and immediately after rainfall). Water shall be applied to all unpaved roads, unpaved parking areas or staging areas, and active portions of the construction site. Environmentally-safe dust control agents may be used in lieu of watering.

- V. Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods, such as water and roll compaction, and environmentally safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for over four days.
- VI. Signs shall be posted onsite limiting traffic to 15 miles per hour or less.
- VII. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., wind speed sufficient to cause fugitive dust to be a nuisance or hazard to adjacent properties). During periods of high winds, all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by onsite activities and operations from being a nuisance or hazard, either offsite or onsite.

**Timing:** Throughout the grading/construction phases of the project.

**Reporting and Monitoring:** Monitoring and Enforcement of dust-related provisions shall be conducted by APCD staff and is complaint-driven.

## 2) CONSTRUCTION- DIESEL FUME EXHAUST

**Purpose:** In order to ensure that ozone precursor and particulate emissions from diesel-powered mobile construction equipment are reduced to the greatest amount feasible.

**Requirement:** The Permittee shall comply with the provisions of all applicable California State Laws and APCD Rules and Regulations regarding portable construction equipment and construction vehicles.

**Documentation:** The project applicant shall ensure compliance with the following State Laws and APCD requirements:

- I. Construction equipment shall not have visible emissions greater than 20% opacity, as required by APCD Rule 50, Opacity.
- II. All portable diesel-powered equipment over 50 BHP shall be registered with the State's Portable Equipment Registration Program (PERP) or an APCD Portable Permit.
- III. Off-Road Heavy-Duty trucks shall comply with the California State Regulation for In-Use Off-Road Diesel Vehicles (Title 13, CCR §2449), the purpose of which is to reduce NO<sub>x</sub> and diesel particulate matter exhaust emissions.
- IV. On-Road Heavy-Duty trucks shall comply with the California State Regulation for In-Use On-Road Diesel Vehicles (Title 13, CCR §2025), the purpose of which is to reduce NO<sub>x</sub> and diesel particulate matter exhaust emissions.
- V. All commercial on-road and off-road diesel vehicles are subject to the idling limits of Title 13, CCR §2485, §2449(d)(3), respectively. Construction equipment shall not idle for more than five (5) consecutive minutes. The idling limit does not apply to: (1) idling when queuing; (2) idling to verify that the vehicle is in safe operating condition; (3) idling for testing, servicing, repairing or diagnostic purposes; (4) idling necessary to accomplish work for which the vehicle was designed (such as operating a crane); (5) idling required to bring the machine system to operating temperature, and (6) idling necessary to ensure safe operation of the vehicle. It is the Permittee's responsibility to have a written idling policy that is made available to operators of the vehicles and

equipment and informs them that idling is limited to 5 consecutive minutes or less, except as exempted in subsection a. above.

The following are recommended measures for construction equipment and vehicles:

- I. Diesel powered equipment should be replaced by electric equipment whenever feasible.
- II. Maintain equipment engines in good condition and in proper tune as per manufacturer's specifications.
- III. Lengthen the construction period during smog season (May through October), to minimize the number of vehicles and equipment operating at the same time.
- IV. Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, if feasible.

**Timing:** Throughout the construction and grading phases of the project.

**Reporting and Monitoring:** Reporting of compliance with the required State Laws regarding diesel vehicles is conducted via annual fleet mix reporting, phasing out of older-tier equipment, and routine surveillance and audits by APCD inspectors. The applicable recommended measures shall be included in the construction plan submitted to Building and Safety and building/grading inspector shall perform periodic site inspections throughout the construction period. Monitoring and Enforcement of dust-related construction activities shall be conducted by APCD staff and is complaint-driven.

### 3) NUISANCE

**Purpose:** To ensure that discharge of air contaminants that may result from site operations are minimized to the greatest extent feasible.

**Requirement:** Facility shall be operated in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District, with emphasis on Rule 51, *Nuisance*.

**Documentation:** The Permittee shall ensure compliance with the following provision:

- I. A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endangers the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.

**Timing:** Throughout the life of the permit.

**Reporting and Monitoring:** Monitoring and Enforcement of the Nuisance Rule shall be conducted by APCD staff during compliance inspections and on a complaint-basis.

#### 4) DEMOLITION ACTIVITIES

**Purpose:** To ensure that the owner or operator of a facility shall remove all asbestos-containing material from a facility being demolished.

**Requirement:** Project demolition activities shall be operated in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District, with emphasis on Rule 62.7, *Asbestos – Demolition and Renovation*.

**Documentation:** The project applicant shall ensure compliance with the following provision:

- I. The applicant shall submit an AB3205 Form to APCD for approval. In addition, the contractor shall notify APCD 10 business days prior to the abatement commencement, if applicable, by submitting a Notification of Demolition or Renovation Form. Demolition and/or renovation activities shall be conducted in compliance with APCD Rule 62.7, *Asbestos – Demolition and Renovation*.

**Timing:** Prior to issuance of a demolition permit(s) by Building & Safety or the applicable jurisdiction agency.

**Reporting and Monitoring:** AB3205 form must be submitted to and approved by APCD. Building & Safety has this form in their checklist of required items to submit prior to issuance of a demolition permit. The Notification of Demolition or Renovation Form must be submitted to APCD. Enforcement of notification requirements for both forms and compliance with the APCD Asbestos Rule will be enforced by APCD Asbestos Inspectors or on a complaint-driven basis.

Thank you for the opportunity to comment on the expected project.

Should you have any questions, you may contact me at [nicole@vcapcd.org](mailto:nicole@vcapcd.org) or 805-645-1426.



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