

REPORT TO GENERAL PLAN 2040 STEERING COMMITTEE

Subject: Discussion of Air and Water Quality Element Policy Audit

EXECUTIVE SUMMARY

Agenda Item 5.C addresses the 2040 General Plan Air and Water Quality Element. Staff has completed a first-pass “audit” of this element, with recommendations for editing existing policies and programs, and a list of potential topics to be added. The Committee will be invited to weigh in on this topic before staff prepares the first draft of the revised policies and programs.

REPORT

Background

State law does not explicitly require an “Air and Water Quality Element” in the general plan, although these topics must be addressed somewhere in the document. Air Quality Elements are currently mandatory in the San Joaquin Valley only. Elsewhere, jurisdictions must include policies and actions to reduce exposure to air pollution and support Air District agencies in their efforts to improve air quality. Air quality policies are often adopted in land use, transportation, conservation, and safety elements. Air quality is often an environmental justice issue and must be evaluated through that lens as well.

Water quality is specifically mentioned in Government Code requirements for the Conservation and Safety Elements. The Conservation Element must address water pollution sources and opportunities to protect and improve water quality. Likewise, the Safety Element often addresses groundwater contamination and the protection of surface water from pollutants. Water quality is also a land use issue, a transportation issue, an open space issue, a public health issue, and an environmental justice issue.

What’s in the Air and Water Quality Element Now?

The General Plan 2020 Air and Water Quality Element can be reviewed [here](#). The Element presents a clean air and water goal, followed by six air quality policies and five water quality policies. These 11 policies are accompanied by 24 implementing programs.

The air quality policies address state and federal standards, land use compatibility, collaborative planning with other agencies, control of particulate matter, alternatives to driving, and public education. The water quality policies address state and federal standards, urban runoff, erosion control, pollution from boats, and public education.

Policy Audit

The remainder of this report presents the Air and Water Quality Element goal, policies, and programs, along with staff recommendations. The matrix includes a column for Committee members to record their thoughts or ideas about the policies, programs, and staff recommendations. Committee members are encouraged to review the matrix before the March meeting and be prepared to discuss the existing policies and programs at the meeting.

The policy audit will be provided to Committee members in Word format following the meeting on March 13. Staff will consider Committee input as the policies and programs are revised. The Committee will have an opportunity to review Draft new policies and programs at a future meeting.

AIR AND WATER QUALITY POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
Air and Water Quality Goal	CLEAN AIR AND WATERWAYS It is the goal of San Rafael to have the residents of San Rafael breathe clean air and have clean waterways. It is desirable that San Rafael meets all ambient air quality standards and that San Rafael's waterways are clean and healthy.	<i>This goal and the ensuing policies will now appear in the Open Space and Conservation Element, rather than in a separate Air and Water Quality Element</i>	
Policy AW-1	State and Federal Standards Continue to comply and strive to exceed state and federal standards for air quality for the benefit of the Bay Area.	<i>Carry forward.</i>	
<i>Program AW-1a</i>	Cooperation with Other Agencies. Cooperate with the Bay Area Air Quality Management District (BAAQMD) and other agencies in their efforts to ensure compliance with existing air quality regulations.	<i>"Cooperate with" is a bit weak. Maybe "Collaborate with" (Work with...), etc.</i>	
Policy AW-2	Land Use Compatibility To ensure excellent air quality, promote land use compatibility for new development by using buffering techniques such as landscaping, setbacks, and screening in areas where different land uses abut one another.	<i>May be able to strengthen this policy to explain the value of buffering, setbacks, for removing pollutants, dust, particulates, etc.</i> <i>We also need to cross-reference the element of the Plan addressing environmental justice, where there will likely be additional policy guidance on land use compatibility.</i>	

AIR AND WATER QUALITY POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
<i>Program AW-2a</i>	Sensitive Receptors. Through development review, ensure that siting of any new sensitive receptors provides for adequate buffers from existing sources of toxic air contaminants or odors. If development of a sensitive receptor (a facility or land use that includes members of the population sensitive to the effects of air pollutants, such as children, the elderly and people with illnesses) is proposed within 500 feet of Highway 101 or I-580, an analysis of mobile source toxic air contaminant health risks should be performed. Development review should include an evaluation of the adequacy of the setback from the highway and, if necessary, identify design mitigation measures to reduce health risks to acceptable levels.	<i>Carry forward and check against current BAAQMD guidelines and standard mitigation measures. Is the 500' buffer along the freeway for health risk assessment requirements wide enough? Several cities are now using 1000'.</i> <i>Given that this program addresses pollution from motor vehicles (not land uses), perhaps it should be under a different policy (focused on reducing exposure to emissions from transportation)?</i>	
<i>Program AW-2b</i>	Buffers. Through development review, ensure that any proposed new sources of toxic air contaminants or odors provide adequate buffers to protect sensitive receptors and comply with existing health standards.	<i>Carry forward</i>	
Policy AW-3	Air Quality Planning with other Processes Integrate air quality considerations with the land use and transportation processes by mitigating air quality impacts through land use design measures, such as encouraging project design that will foster walking and biking.	<i>Break into 2 policies. One is to coordinate AQ planning with other processes (per the title). The other is to emphasize the air quality benefits of reducing vehicle miles traveled, shifting modes, and encouraging cleaner fuel vehicles.</i>	
<i>Program AW-3a</i>	Air Pollution Reduction Measures. Consider revisions to zoning regulations to require developers to implement strategies for air quality improvement described in the BAAQMD/ABAG's guide "Design Strategies for Encouraging Alternatives to Auto Use Through Local Development Review" or subsequent standards.	<i>Replace reference to the "Design Strategies" document with current best practices document from BAAQMD. Focus on Best Available Control Technologies (BACT) to reduce air pollutants.</i>	

AIR AND WATER QUALITY POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
<i>Program AW-3b</i>	Smart Growth and Livable Communities Programs. Participate in and implement strategies of Metropolitan Transportation Commission’s regional “Smart Growth Initiative” and “Transportation for Livable Communities Program.”	<i>Delete. This is dated, and there are new programs that should be referenced (likely in the Land Use and/ or Transportation Elements)</i>	
Policy AW-4	Particulate Matter Pollution Reduction Promote the reduction of particulate matter pollution from roads, parking lots, construction sites, agricultural lands and other activities.	<i>Carry forward.</i>	
<i>Program AW-4a</i>	Pollution Reduction. Through development review, ensure that any proposed new sources of particulate matter use latest control technology (such as enclosures, paving unpaved areas, parking lot sweeping and landscaping) and provide adequate buffer setbacks to protect existing or future sensitive receptors.	<i>Good. Carry forward. EIR may provide more specific direction as to how to mitigate particulate matter impacts. Should wildfire smoke be addressed?</i>	
Policy AW-5	Circulation Alternatives Promote circulation alternatives that reduce air pollution.	<i>See note under Policy AW-3. This is the basis for the first of the two policies referred to. Retain, but flesh out a bit more. Weave in Climate Change Action Plan/ Sustainability Element policies on transportation here.</i>	
Policy AW-6	Education and Outreach Support public education of regarding air pollution prevention and mitigation programs.	<i>Carry forward,</i>	
<i>Program AW-6a</i>	Air Quality Education Programs. Support and participate in the air quality education programs of the BAAQMD, such as “Spare the Air” days.	<i>Carry forward, and potentially expand to recognize the air quality web apps now in use.</i>	

AIR AND WATER QUALITY POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
<i>Program AW-6b</i>	Benefits of Transit-Oriented Development. Assist in educating developers and the public on the benefits of pedestrian and transit-oriented development.	<i>Carry forward. Also, collect and analyze data on actual outcomes within San Rafael (i.e, VMT per capita for projects near SMART vs others) to verify the benefits.</i>	
Policy AW-7	Local, State and Federal Standards Continue to comply with local, state and federal standards for water quality.	<i>OK to carry forward</i>	
<i>Program AW-7a</i>	Countywide Stormwater Program. Continue to participate in the countywide stormwater program and comply with its performance standards.	<i>Carry forward. Also recognize stormwater detention requirements and low impact development.</i>	
<i>Program AW-7b</i>	Stormwater Runoff Measures. Continue to incorporate measures for stormwater runoff control and management in construction sites.	<i>This is a subset of AW-7a, but OK to call it out separately. Also, could delete this here and merge it with AW-8b below.</i>	
<i>Program AW-7c</i>	Water Quality Improvements in Canal and Other Waterways. Support water quality improvement efforts in the San Rafael Canal, creeks, and drainageways in accordance with standards of the State Water Quality Control Board or any agencies with jurisdiction.	<i>Potentially create a new policy on water quality in creeks and nearshore waters. Right now, this is no really addressed at the policy level (expand AW-10 to cover?)</i>	

AIR AND WATER QUALITY POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
Policy AW-8	<p>Reduce Pollution from Urban Runoff Address non-point source pollution and protect receiving waters from pollutants discharged to the storm drain system by requiring Best Management Practices quality.</p> <ul style="list-style-type: none"> • Support alternatives to impervious surfaces in new development, redevelopment, or public improvement projects to reduce urban runoff into storm drain system, creeks, and the Bay. • Require that site designs work with the natural topography and drainages to the extent practicable to reduce the amount of grading necessary and limit disturbance to natural water bodies and natural drainage systems. • Where feasible, use vegetation to absorb and filter fertilizers, pesticides and other pollutants. 	<p><i>Carry forward. Also integrate sustainability concepts such as bio-swales, rain gardens, permeable pavement, etc. Potentially add a policy on green infrastructure here.</i></p>	
<i>Program AW-8a</i>	<p>Proper Disposal of Pollutants. Continue to promote proper disposal of pollutants to the sanitary sewer or hazardous waste facilities rather than to the storm drainage system.</p>	<p><i>Also, regular cleanouts of catch basins, culverts, street sweeping, removing trash from creeks, etc.</i></p>	
<i>Program AW-8b</i>	<p>Compliance by Contractors. Continue to require contractors to comply with accepted stormwater pollution prevention planning practices for all projects subject to erosion potential. Also, continue to require the proper use, storage and disposal of on-site materials.</p>	<p><i>Carry forward. This is ongoing.</i></p>	

AIR AND WATER QUALITY POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
<i>Program AW-8c</i>	System Improvements. Improve storm drainage performance by constructing new system improvements. Evaluate stormwater volumes when replacing undersized or otherwise inadequate lines with larger or parallel lines.	<i>And require consideration of stormwater impacts when new development is proposed. Also—consider the impact on climate change and rising sea level on storm drainage system and water quality.</i>	
<i>Program AW-8d</i>	Pesticide and Fertilizer Management. On City property, encourage the appropriate reduction of pesticides and fertilizers to the maximum extent feasible. Ensure that the application of pesticides on City property is accomplished in accordance with all applicable rules and regulations.	<i>Cross reference Conservation Element policy on integrated pest management.</i>	
<i>Program AW-8e</i>	Public Water Management. Review areas where public water management procedures are used to convey stormwater to the storm drain system, including streets, which also convey stormwater to the storm drain system.	<i>Rewrite this—the meaning is unclear. Seek Public Works input. What is the intent?</i>	
Policy AW-9	Erosion and Sediment Control Establish development guidelines to protect areas that are particularly susceptible to erosion and sediment loss.	<i>This is a program as currently written. Replace with a policy to reduce erosion and sedimentation—or make it Program AW-8f</i>	
Policy AW-10	Canal and Bay Boating Ensure responsible waste disposal maintenance and operations that affects water quality.	<i>Rewrite policy to specifically reference boats and live-aboards in the text.</i>	
<i>Program AW-10a</i>	Sanitation Facilities in Boats. Require inspection of sanitation facilities in boats berthed in the San Rafael Canal.	<i>Keep but clarify who does the inspection – What is the City’s role?</i>	

AIR AND WATER QUALITY POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
<i>Program AW-10b</i>	Sewage Pump Out Facilities. Support marina owners in providing on-site sewage pump-out facilities. Require marinas to install such facilities when major improvements are made.	<i>Carry forward</i>	
<i>Program AW-10c</i>	Education of Boaters. Educate boaters about good sanitation practices.	<i>Carry forward</i>	
Policy AW-11	Education and Outreach Continue to inform the public about the effects of water pollution in order to encourage participation in pollution prevention programs.	<i>Not just the “effects” but also ways the public can contribute to water quality improvements</i>	
<i>Program AW-11a</i>	Stenciling of Storm Drains. Continue the efforts to identify storm drain locations and stencil them accordingly so that people understand the consequences of pollutant runoff.	<i>Carry forward</i>	
<i>Program AW-11b</i>	Outreach. Continue to work with MCSTOPPP in educational outreach and public participation in water pollution reduction methods that, for example, address the impacts of indirect pollution sources such as fertilization, pesticides and pet waste.	<i>Carry forward</i>	
<i>Program AW-11c</i>	Water Pollution Education. Educate landscaping service employees and contractors about water pollution.	<i>Carry forward, Are there other target groups beside landscapers?</i>	
<i>Program AW-11d</i>	Car Wash Facilities. Require the use of recycled water at new commercial car washing facilities.	<i>Carry forward.</i>	

AIR AND WATER QUALITY POLICY MATRIX

Reference	Statement	Staff Comments	Comments from Committee Members
	<i>Editor's Notes:</i> <i>Under air quality, need a policy on the use of Transportation Control Measures to reduce air pollution (especially ozone and CO)</i> <i>Should address electric vehicle infrastructure and cleaner fuel cars here</i> <i>Address trash capture devices in storm drainage system (state mandate)</i> <i>Add a program for ongoing monitoring</i> <i>Add a program for pre-treatment of contaminated runoff/discharges, consistent with permit requirements</i> <i>Address quality of nearshore waters (Bay waters)</i> <i>Address groundwater protection and saline intrusion</i>		