

# CHAPTER 8

## PLAN IMPLEMENTATION

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### **8.1 INTRODUCTION**

The CCAA establishes a legal mandate to achieve the state ambient air quality standards by the earliest practicable date. Determination of the earliest practicable attainment date is dependent upon the severity of the nonattainment problem. State law sets December 31, 1997 as the deadline for moderate nonattainment areas to reach attainment. Failure to achieve that goal may result in a requirement to implement the more stringent controls specified for serious nonattainment areas.

Chapters 5 and 6 of the Plan discuss emission control strategies that will accommodate urban growth and provide for improved air quality. Achieving and maintaining clean air is dependent upon implementing those strategies. Implementation involves adoption by the enforcing agency of the necessary statutes, rules, regulations, and/or ordinances that provide for compliance, monitoring and enforcement of the control measures. The purpose of this chapter is to identify the requirements, methods, responsible agencies and timeframe for implementing the controls proposed in this Plan.

### **8.2 REQUIREMENTS FOR PLAN APPROVAL**

Upon adoption by the District Board, this plan will be submitted to the California Air Resources Board for review and approval. The CCAA establishes criteria for plan evaluation which requires the ARB to:

- Determine whether the projected attainment date represents the earliest practicable date, and whether the measures contained in the plan are sufficient to attain and maintain the state standards.
- Where regional pollutants are involved, compare the plan with other plans in the air basin to determine uniformity. The CCAA requires that the control measures proposed by different districts within the same air basin be uniform to the extent feasible.
- For Districts where pollutant transport is a factor, the plan should be reviewed for the inclusion of transport mitigation to satisfy the requirements of the law. San Luis Obispo county has not been identified as a transport contributor.
- If no attainment date can be specified, or if the 5% per year emission reduction requirement cannot be met, determine whether the plan contains every feasible control strategy or measure available to insure progress toward attainment.

The ARB must notify the District in writing regarding the results of its evaluation. If the plan is found to be deficient, the District will be required to make the necessary changes and resubmit the plan. A conflict resolution procedure exists to mediate any problems which may occur during the plan approval process. Final approval by ARB will be at a public hearing of their Board.

### **8.3 IMPLEMENTING AGENCIES AND RESOURCES**

Implementation of the 2001 Clean Air Plan relies on a multilevel partnership between the public, private industry and various government agencies at the federal, state, regional, and local levels. At the federal level, the EPA and other agencies are charged with reducing emissions from federally controlled sources, such as aircraft. The ARB is the state agency charged with controlling emissions from motor vehicles, fuels and consumer products. The District is the regional agency responsible for the overall development and implementation of the Plan, as well as adopting and enforcing emission controls for industries, indirect sources, and some mobile sources. At the local level are city and county government and the San

Luis Obispo Council of Governments. These entities are responsible for implementing some of the transportation control measures and land use planning strategies.

In many cases, each of these government agencies is empowered with authority unique to that agency and, as such, may be the only feasible party to implement a measure. Agencies responsible for implementing the recommended control measures are identified in Tables 9-1 through 9-4. A description of these agencies and their responsibilities is provided below.

### **Federal Agencies**

The federal EPA is responsible for regulating the emissions of many sources, including planes, ships, trains, most construction and farm equipment, off-highway vehicles, federal facilities, and future offshore oil operations. Federally regulated sources, excluding motor vehicles, contribute about 6% of total ROG emissions and 19% of NO<sub>x</sub> emissions in the District.

It should be noted that motor vehicles originating out of state could also be characterized as "federally regulated" sources. Currently, these vehicles constitute approximately 20% of the in-use vehicle fleet statewide. Since emissions standards for these vehicles are less stringent than California vehicles, they contribute a disproportionately larger share of the emissions.

### **State Agencies**

Many of the on-road mobile source emission reductions projected for future years result from the ARB's strict motor vehicle exhaust emission standards and fuel quality requirements. The ARB is also responsible for adopting off-road mobile source emission standards for source categories not regulated by EPA. Emissions from marine vessels and certain off-highway vehicles can also be regulated by ARB if a waiver is obtained from EPA. Finally, ARB responsibilities also include the implementation of control measures to reduce emissions from consumer products.

There are several other state agencies that play important roles in implementing measures which reduce emissions, including the Bureau of Automotive Repair (BAR) and Caltrans. The BAR is responsible for operating the motor vehicle inspection and maintenance program (Smog Check), while Caltrans plays a role in several of the transportation measures dealing with systems improvements and circulation.

### **Air Pollution Control District**

The San Luis Obispo County Air Pollution Control District is responsible for implementing control measures for stationary, indirect, and some mobile emission sources. The stationary source control measures are implemented through the development, adoption and enforcement of District rules and regulations.

Rulemaking involves developing a proposed rule or rule revision; coordinating with other Districts to ensure uniformity with similar rules; consulting with the ARB and EPA to ensure consistency with state and federal policy; holding public workshops to inform the public and affected industry of the proposed rule; and presenting the proposed rule to the San Luis Obispo County Air Pollution Control Board for adoption. The rules are then implemented through the District's source permitting and public outreach process. Each affected facility is reviewed, and controls and operating parameters specified, prior to approval of construction or operation. Subsequent facility inspections are conducted periodically by District enforcement staff to ensure that all permit conditions are being met. To inform the public about new or modified rules that affect them, workshops are held, public information and education outreach is conducted and assistance brochures are developed."

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The Transportation Choices program for schools and employers is implemented through a cooperative partnership between the District, Regional Rideshare and Ride-On Transportation. Most of the other transportation, land use planning and indirect source controls are implemented by local government, with the District playing a support role. In these instances the District will primarily function as a coordinator rather than as lead agency.

The development and implementation of public information and education programs is also an important element in District implementation of the Plan. These programs are discussed in detail in Chapter 9.

### **Regional and Local Government**

The San Luis Obispo Council of Governments (SLOCOG), as the Regional Transportation Planning Agency, is responsible for conducting regional transportation studies to support the various land use and transportation control strategies in the CAP. SLOCOG also guides and oversees the implementation of recommended improvements to public transit, bikeways and facilities, and transportation systems. This responsibility is managed primarily through implementation of the Regional Transportation Plan.

The San Luis Obispo Regional Transit Authority (SLORTA) directs the operations of the regional transit system and is the agency responsible for implementing the planned improvements described in this Plan for the regional system. The cities of San Luis Obispo and Paso Robles both operate local, fixed-route transit systems and will be the implementing agencies for the local transit improvements identified in Chapter 6. The San Luis Obispo Regional Rideshare office offers carpool and vanpool matching services and is one of our strategic partners in promoting voluntary trip reduction efforts among the business community and general public.

City and county governments continue to have primary responsibility for land use and circulation management, and their decisions will affect the success of the District's attainment plan. Pursuant to the requirements of the CCAA, incorporation of the land use and circulation strategies outlined in Chapter 6 should occur to the maximum extent possible. Implementation of these measures requires cooperation among participating agencies to ensure their success. This is particularly important when a measure could place a jurisdiction at a competitive disadvantage if not applied consistently across the region. Local governments thus play an important role in reducing emissions from motor vehicles by implementing the land use planning strategies and some of the transportation control measures. They may also assist with enforcement and data collection for monitoring effectiveness of the measures.

## **8.4 PUBLIC AND PRIVATE SECTOR IMPLEMENTATION**

Effective implementation of the measures proposed in this Plan will require the understanding and support of the private sector and the public. Although a substantial effort was made to reduce the economic impacts of this Plan, many businesses are affected by the measures, and significant costs to private industry are incurred as the Plan is implemented. In addition, the general public is called upon to make choices that involve changes in life-style, particularly regarding how and when we use our private vehicles. These economic burdens and personal inconveniences are hard to accept unless we all share in the commitment and effort to achieve and preserve clean air in San Luis Obispo County. Thus, a strong community partnership must be forged so that those affected can be involved in the process at every level. The key to this partnership is communication.

Many opportunities are available for involvement by private industry and the public. The public workshops and formal hearings before the Board allow all groups to present their views and concerns prior to formal adoption of the Plan. During rule development, workshops and hearings are held to allow for additional input at that stage of the process. A well planned public information and education

program is also essential to increase awareness of local issues and to emphasize the importance of individual, group, and community efforts towards improving the air quality of San Luis Obispo County.

## **8.5 TIMEFRAME FOR IMPLEMENTATION**

As shown in Tables 8-1 through 8-3, all but one of the measures described in this Plan have already been adopted and implemented. The implementation schedule was dependent on many factors: availability and cost of the control technology; operational and timing limitations at affected sources; and staffing, resources and other logistical considerations governing the timeframe under which the regulatory agency could develop the necessary rules and implementing mechanisms. Table 8-4 organizes the measures and adoption schedule by implementing agency.

In some cases, full implementation does not occur until after year 2000. For instance, the land use planning strategies proposed in this Plan will be gradually implemented over an extended period of time as the cities and county update and modify their General Plans. These measures will play a greater role in reducing the increase in emissions from new development rather than reducing existing emissions.

## **8.6 CONTINGENCY MEASURES**

The CCAA (H&SC Sections 40915 & 41503.3) requires that each plan contain contingency measures to be implemented if the District fails to achieve interim goals or maintain adequate progress toward attainment. Table 8-5 lists the stationary and transportation control measures proposed for contingency status in this Plan. Most of these measures were approved for implementation in the 1991 CAP, but were found unnecessary to meet the revised emission reduction goals of the 1995 CAP or this Plan. They are still considered feasible and cost-effective, and could be adopted if implementation of this Plan fails to result in expeditious attainment of the state ozone standard.

Implementation of one or more of the contingency measures can be required by the ARB if they make a finding that the District has not achieved the minimum rate of progress toward attainment. A decision on which contingency measures to implement, however, would be made by the District Board during a noticed public hearing to provide affected businesses or organizations the opportunity to participate and provide input to the process. Sections 5.6 in Chapter 5 and 6.8 in Chapter 6 describe the measures proposed for contingency in further detail.

## **8.7 DETERMINATION OF PROJECT CONSISTENCY**

The California Environmental Quality Act (CEQA) requires that governmental agencies evaluate the environmental impacts of proposed projects under their jurisdiction, and that consistency of projects with regional plans, such as air quality plans, be addressed. Furthermore, the California Government Code section 65402 requires consistency of virtually all public and private projects with local general plans. Thus, if CAP requirements are incorporated into the general plans, the process of determining project consistency is greatly simplified. The agency responsible for making consistency determinations varies according to the project.

A consistency analysis is generally required for a Program Level Environmental Impact Report (EIR), and may be necessary for a Project Level EIR, depending on the project being considered. Examples of projects and programs requiring a consistency analysis include: General Plan Updates and Amendments, Specific Plans, Area Plans, large residential developments and large commercial or industrial developments. The consistency analysis should evaluate the following questions:

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- Are the population projections used in the plan or project equal to or less than those used in the CAP (chapter 2) for the same area?
- Is rate of increase in vehicle trips and miles traveled less than or equal to the rate of population growth for the same area?
- Have all applicable land use and transportation control measures from the CAP been included in the plan or project to the maximum extent feasible?

If the answer to all of the above questions is yes, then the proposed project or plan is considered to be consistent with the CAP. If the answer to any one of the questions is no, then the emissions reductions projected in the CAP may not be achieved, which could delay or preclude attainment of the state ozone standard. This would be considered inconsistent with the Clean Air Plan.

Stationary and area sources subject to District permit must comply with all applicable District rules and regulations. Consistency is determined by assessing whether the emission source is in compliance with District requirements. Emissions from sources not subject to APCD permit are considered to be consistent with this Plan if such emissions have been included in the Plan forecast emissions inventory found in Chapter 7.

Evaluation of transportation projects for consistency with this Plan is determined on a case-by-case basis. An effective assessment involves consideration of project consistency with adopted transportation control measures; consistency of land-use adjacent to the proposed project with land use planning strategies adopted pursuant to this Plan; and, consistency of project population projections with Plan projections.

### **8.8 EMISSIONS GROWTH AND THE CLEAN AIR PLAN**

The preceding sections of this Plan have discussed existing emission sources and proposed control measures, as well as the effect of those controls on projected emissions in future years. Emissions growth in excess of that projected in this Plan, however, could result in failure to accomplish clean air goals. There are three types of emissions growth which require further consideration: permitted growth regulated by the District; growth which is regulated by the county or cities; and growth that is essentially unregulated.

Permitted growth pertains to new emission sources subject to District regulation and operating permits through the New Source Review rule (NSR). In general, these are commercial and industrial facilities with equipment or operations that emit pollutants at fixed locations, including facilities located offshore on the Outer Continental Shelf. The District's NSR rule requires the application of Best Available Control Technology for sources with the potential to emit 25 pounds/day or more of NO<sub>x</sub>, ROG, SO<sub>2</sub> or PM<sub>10</sub>; emission offsets are also required for sources that may emit 25 tons/year or more of the same pollutants. These requirements ensure that the permitting of new sources will not interfere with attainment and maintenance of the state ambient air quality standards.

Emissions growth that is exempt from District rules may still be subject to regulation by cities and the county through provisions in CEQA, or through local city or county ordinances. In general, sources in this category are exempt from District regulation due to their small size, or are sources of indirect emissions related to certain types of land use, such as vehicle trips generated or attracted by residential or commercial developments. This type of emissions growth is governed by local general plans and ordinances. The potential impacts associated with that growth are addressed through the CEQA review process.

CEQA requires preparation of a detailed Environmental Impact Report on projects which may have significant adverse impacts on the environment, which includes proposed projects which are inconsistent with this Plan. The District reviews all types of new development proposals referred by local, state and federal agencies. Pursuant to CEQA regulations, projects are evaluated for potential air quality impacts and recommendations for mitigation are provided where appropriate.

The incorporation of Air Quality Elements into city and county general plans will ensure that land use planning strategies will support recommendations in this Plan. The County and the Cities of Arroyo Grande, Grover Beach, Pismo Beach, San Luis Obispo and Paso Robles have adopted air quality goals, policies and programs in their General Plans. To ensure future compatibility with growth assumptions made here, it is important that future actions be evaluated for consistency with this Plan.

To date, little attention has been paid to growth of unregulated sources; however, it is anticipated that these sources will play an increasingly significant role in future emissions inventories. Unregulated growth is development in various economic categories that the District or other local planning agencies are unable to control for logistical or legislative reasons. Unregulated growth includes sources such as agricultural pesticides, off-road vehicles, through-county vehicle travel, consumer solvents, domestic and commercial use of natural gas, and other similar sources and activities.

The CCAA gives ARB limited powers to control emissions from certain classes of previously unregulated consumer goods. It is expected that unregulated sources will be the last categories subject to air pollution control requirements at the local level.

## **8.9 ANNUAL PROGRESS REPORTS AND TRIENNIAL UPDATE**

The District is required to submit annual reports to the ARB summarizing progress in developing, adopting or implementing the control strategies proposed in this Plan. Every third year after approval of the Plan, the District must prepare and submit a triennial update to ARB. This update is to assess the overall effectiveness of the plan, quantify actual emissions reductions achieved to date, and document current population and vehicle use rates. Comparison of these data will be made with all assumptions used in the plan. The triennial update provides the District with the opportunity to make any necessary modifications to existing emission reduction strategies to ensure progress in achieving state standards. The 2001 CAP is the third update in this process.

If a district falls short of the annual emission reduction target stipulated in its Plan, the ARB will assess the reason for the shortfall and take appropriate action. If insufficient progress was made as a result of control technology not developing as quickly as expected, that will be taken into account. However, if a shortfall occurs because a district failed to follow through on proposed measures, the ARB will direct the district to fulfill its commitments, and may adopt its own control measures for the area in question.

Emission reduction strategies must continue until the state standard is attained. Once attainment of the standard is achieved, it is the responsibility of the district to maintain that standard. All applicable control measures must remain in effect in order to assure continued attainment of the state ambient air quality standards.

## **8.10 AIR QUALITY MONITORING**

The CCAA amended certain sections of the California Health and Safety Code necessitating a program of adequate ambient air monitoring. A means of demonstrating progress toward attaining clean air goals is to document that both the number of violations of an air quality standard and maximum concentrations measured is decreasing.

The District has an established network of ambient air monitoring stations located in the following areas: Paso Robles, Atascadero, San Luis Obispo, Morro Bay, Grover Beach, Nipomo (town) and the Nipomo Mesa (rural). This network is described in further detail in Chapter 3 and provides a good record of air quality at those locations. However, as described in that chapter, air quality in some parts of the county remains undocumented. These gaps in the existing monitoring network cannot be filled without significant additional expenditure of financial and staff resources. Such resources are not expected to be available in the near future.

### **8.11 DISTRICT STAFF AND RESOURCES FOR IMPLEMENTATION**

Implementation of this Plan will require a continuation of the significant efforts undertaken to implement the previously adopted Plans. Funding for these efforts is provided by District fees on existing and new permitted sources and by a portion of the motor vehicle registration fees allocated to APCDs by state law. It is not anticipated that additional staff will be needed to implement this Plan. Future staff and funding needs may increase, however, as we begin to develop and implement a plan to attain the state PM<sub>10</sub> standards, or comply with other new programs required by state and federal laws.

**Table 8 - 1****STATIONARY SOURCE CONTROL MEASURES ADOPTION  
AND IMPLEMENTATION SCHEDULE**

<b>#</b>	<b>TITLE OF MEASURE</b>	<b>ACTION REQUIRED</b>	<b>ADOPTION DATE</b>	<b>FULL IMPLEMENTATION</b>
R-1	Agricultural Burning	Voluntary	n/a	1988
ARB	Phase II Vapor Recovery	Adopted	1989	1991
N-1	Coke Calcining	Adopted	1989	1989
NSR	New Source Review	Adopted	1991	1991
R-20	Auto Refinishing	Adopted	1996	1996
R-14	Consumer Products (ARB)	Adopted	1992	2000
N-11	Utility Fuel Combustion	Adopted	1993	2002
MP-1	Woodstoves	Adopted	1993	1993
R-21	Fugitive Emissions	Adopted	1993	1994
R-8	Storage Tanks	Adopted	1994	1996
R-17	Sumps in Oilfields	Adopted	1994	1996
R-12	Oil/Water Separators	Adopted	1994	1996
R-9	Landfill Gas Control	Adopted	1995	1998
R-11	Marine Tanker Loading	Adopted	1995	1997
N-2	Commercial Fuel Combustion	Adopted	1995	1997
N-5	Energy Conservation	Adopted	1995	Ongoing
N-12	Residential Natural Gas Combustion	Adopted	1995	1996
R-5	Bulk Gasoline Loading Racks	Adopted	1996	1997
N-14	Internal Combustion Engines	Adopted	1996	2000
R-23	Cutback Asphalt	Adopted	1997	1997
R-19	Metal Parts Coating	Adopted	1998	1998
R-13	Non-Ag Open Burning	Adopted	2000	2003
R-3	Architectural Coatings	Adopt new rule	2002	2004

**Table 8 - 2**

**TRANSPORTATION CONTROL MEASURES ADOPTION  
AND IMPLEMENTATION SCHEDULE**

<b>NUMBER</b>	<b>TITLE</b>	<b>AGENCY</b>	<b>ACTION</b>	<b>ADOPTION</b>	<b>IMPLEMENTATION</b>
T-1C	Voluntary Commute Options Program	APCD, Regional Rideshare, Ride-On Transportation	Employer Outreach	1996	on-going
T-1B	Campus-Based Trip Reduction Program	APCD, Cal Poly, Cuesta College	District and School Agreements	1996	on-going
T-2A	City Transit Improvements	City of SLO City of Paso Robles	Implement Short Range Transit Plan	1992	on-going
T-2B	Regional Transit	SLORTA/SLOCOG	Implement RTP, Short-Range Transit Plan	1992	on-going
T-3	Bicycling and Bikeway Enhancements	Local Government, Caltrans, SLOCOG	RTP, Bikeway Plans, Circulation Elements	1992	on-going
T-4	Park and Ride Lots	Local Government, Caltrans, SLOCOG	RTP, Bikeway Plans, Circulation Elements	1992	on-going
T-5	Motor Vehicle Control/ Inspection Program	Air Resources Board, Bureau of Automotive Repair	Statewide program	1989	on-going
T-6	Traffic Flow Improvements	Caltrans, Local Government	Construct needed facilities	1992	on-going
T-8	Telecommuting, Teleconferencing, and Tele-learning	APCD, Local Government, Public Schools, Caltrans, SLOCOG	Voluntary program	1997	on-going



**Table 8 - 3**

**LAND USE PLANNING STRATEGIES ADOPTION  
AND IMPLEMENTATION SCHEDULE**

<b>#</b>	<b>TITLE OF MEASURE</b>	<b>AGENCY</b>	<b>ACTION</b>	<b>ADOPTION</b>	<b>IMPLEMENTATION</b>
L1	Planning Compact Communities	Local Government	General Plan and Land Use Ordinance Amendments	1993	on-going
L2	Providing for Mixed Land Use	“ ”	“ ”	1993	on-going
L3	Balancing Jobs and Housing	“ ”	“ ”	1994	on-going
L4	Circulation Management	Caltrans, SLOCOG, and Local Government	Land Use Elements and Ordinances, Regional Transportation Plans	1993	on-going
L5	Communication, Coordination, and Management	APCD, SLOCOG, Caltrans, and Local Government	Improved Consultation and Coordination on Programs, Plans and Projects	1992	on-going

**Table 8 - 4**

**MEASURE ADOPTION AND IMPLEMENTATION SCHEDULE BY AGENCY**

<b>AGENCY</b>	<b>Pre-91</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>2000</b>	<b>2002</b>
Air Pollution Control District	R-1	NSR	R-14	R-21	R-8	R-9	R-5	R-23	R-19	R-13	R-3
	N-1		L-5	N-11	R-12	R-11	N-14				
				MP-1	R-17	N-2	T-1C				
						N-5		T-8			
						N-12	R-20				
Local Government			T-2A	L-1	L-3			T-8			
			T-4	L-2							
			L-5	L-4							
			T-3								
			T-6								
SLO Council of Governments			T-2A	L-4	L-3			T-8			
(SLOCOG)			T-2B								
			T-3								
			T-4								
			T-6								
			L-5								
Caltrans			T-4	L-4							
			L-5								
			T-3								
			T-6								
SLO Regional Transit Agency (SLORTA)			T-2B								
College and University							T-1B	T-8			

**Table 8 - 5**

**CONTINGENCY AND FURTHER STUDY MEASURES**

<b>STATIONARY SOURCE CONTROL MEASURES</b>		<b>ACTION REQUIRED</b>	<b>POTENTIAL REDUCTION</b>
N-3	Commercial Marine Vessels - Fuel Combustion	Adopt New Rule	0.08 tons/day NOx
N-10	Onshore Drilling and Workover Rigs	Adopt New Rule	0.01 tons/day NOx
R-4	Asphalt Roofing Kettles	Adopt New Rule	Needs further research
R-6	Commercial Degreasing	Modify Rule 416	0.24 tons/day ROG
R-10	Marine Vessel Coatings	Adopt New Rule	0.002 tons/day ROG
R-15	Industrial Adhesives and Coatings	Adopt New Rule	0.17 tons/day ROG
R-18	Wood Furniture Manufacturing	Modify Rule 407	0.02 tons/day ROG
R-22	Cleaning of Organic Product Storage Tanks	Adopt New Rule	0.13 tons/day ROG
<b>TRANSPORTATION CONTROL MEASURES</b>			
T-12	Fleet Operator Clean Fuels Program	Adopt New Rule	0.04 tons/day ROG, NOx