



## **MONTEREY BAY**

Unified Air Pollution Control District  
serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER  
Richard Stedman

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

*October 9, 2009*

### ***NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION***

**NOTICE IS HEREBY GIVEN** that the Monterey Bay Unified Air Pollution Control District has prepared a proposed Negative Declaration, pursuant to the requirements of the California Environmental Quality Act, California Public Resources Code, Section 21,000 et seq. (CEQA), for repeal of District Rule 216, Permit Requirements for Wastewater and Sewage Treatment Facilities. This project is located in the North Central Coast Air Basin, which includes Monterey, San Benito and Santa Cruz Counties. The proposed Negative Declaration and Initial Study, as well as referenced documents, are available for review during normal business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) at the District's offices at 24580 Silver Cloud Court, Monterey, California, 93940. The Monterey Unified Air Pollution Control District Board will consider this proposal at its Regular Meeting on December 16, 2009, which begins at 1:30 p.m. in the Board Room of the District's offices. Written comments on this Negative Declaration and Initial Study will be accepted from October 9 through October 30, 2009.

#### **Project Description:**

Repeal of District Rule 216, Permit Requirements for Wastewater and Sewage Treatment Facilities, would eliminate duplicative requirements specified in the District's CEQA Air Quality Guidelines (February 2008).

#### Section 5.5 of the District's CEQA Air Quality Guidelines

Section 5.5 specifies "Criteria for Determining Cumulative Impacts and Consistency". Consistency with the District's Air Quality Management Plan (AQMP) is a means to ensure that the cumulative air quality impacts of a project do not undermine the District's approved planning strategy (the AQMP) to comply with applicable ozone standards. Commercial, industrial and institutional projects that are population-related are analyzed for consistency with the District's Air Quality Management Plan (AQMP) by comparing the estimated current population in the county in which the project is to be located with the applicable population forecast in the AQMP. If the estimated current population does not exceed the forecasts, indirect emissions associated with the project are deemed to be consistent. The project applicant is asked to contact AMBAG (the Association of Monterey Bay Area Governments) to request a consistency determination. AMBAG provides a consistency determination by letter, which is included in the environmental document that is circulated for review.

In addition to the paragraph of Section 5.5 that deals with population-related projects, there is an additional paragraph titled "Wastewater Treatment Projects". The latter reiterates the consistency requirements specified in District Rule 216. Because the

consistency requirements are repetitive, the District proposes repeal of the lesser inclusive section (Wastewater Treatment Projects).

Fiscal Impact on Affected Sources, and the District

There should be a slight reduction in fees charged to Wastewater and Sewage Treatment Facilities because consistency determinations made by AMBAG have historically been billed to permit applicants as a pass-through cost.

Air Quality / Socioeconomic Effects

The proposal would not significantly affect air quality or emissions limitations and, therefore, is exempt from Health & Safety Code §40728.5, which requires a socioeconomic analysis of a proposed action.

Alternatives Analysis

The proposal is exempt from Health & Safety Code §40727.2, which requires a comparative alternatives analysis of any new control standard.

**B. Environmental Setting and Surrounding Land Uses:**

The North Central Coast Air Basin, comprised of San Benito, Santa Cruz, and Monterey Counties, is designated “Nonattainment” for the State ambient air quality standards for ozone and inhalable particulates (PM<sub>10</sub>). Please see the Monterey Bay Unified Air Pollution Control District’s *Air Quality Management Plan (August 2008)* for a detailed description of the air basin and its physical characteristics. It may be found on the District’s website, [www.mbuapcd.org](http://www.mbuapcd.org).

**FOR ADDITIONAL INFORMATION CONTACT:**

Ms. Jean Getchell, Supervising Planner  
Monterey Bay Unified Air Pollution Control District  
24580 Silver Cloud Court  
Monterey, CA 93940  
(831) 647-9411 x227

**For reviewing agencies:** The Monterey Bay Unified Air Pollution Control District requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments.

**Distribution:** (see below)

- \_\_\_ No Comments provided
- \_\_\_ Comments noted below
- \_\_\_ Comments provided in separate letter

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Return to:** Ms. Jean Getchell, Supervising Planner  
Monterey Bay Unified Air Pollution Control District  
24580 Silver Cloud Court  
Monterey, CA 93940

**From:** Agency Name: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

***DISTRIBUTION:***

Monterey Bay Unified Air Pollution Control District (MBUAPCD) Board Members  
MBUAPCD Advisory Committee Members  
Chambers of Commerce  
Cities  
Monterey County Planning and Building Inspection Dept.  
San Benito County Planning Dept.  
Santa Cruz County Planning Dept.  
County Clerks: Monterey, S. Cruz, and S. Benito Counties  
Assn. of Monterey Bay Area Governments  
U.S. EPA Region 9