



Town of Mammoth Lakes

Planning & Economic Development Commission

Recommendation Report

Date:	September 11, 2013	Case/File No.:	NA
Place:	Council Chambers, 2 nd Floor Minaret Village Shopping Center Mammoth Lakes, CA 93546	Project:	Air Quality Management Plan Update
Time:	After 2:00 p.m.	Location:	Townwide
Agenda Item:	2	General Plan:	NA
Appeal Status:	NA	Specific Plan:	NA
Applicant/ Property Owner:	NA	Zoning:	NA
Environmental Review:	Anticipate exempt from CEQA		

TITLE: Air Quality Management Plan Update Workshop

A. EXECUTIVE SUMMARY

1. Subject/Requested Actions

The Commission is requested to provide comments on the draft Air Quality Management Plan Update, including the draft revisions to Municipal Code Chapter 8.30, Particulate Emissions Regulations.

2. Required Findings to Support Requested Actions

This item is a workshop, and therefore, no findings are required.

3. Report Summary

The Air Quality Management Plan (AQMP) Update revises the Town's 1990 AQMP to reflect changes in Mammoth Lakes' air quality, air pollution regulations, and Town planning since the adoption of the 1990 Plan. The AQMP summarizes the results of air quality monitoring, evaluates the sources of Mammoth Lakes' particulate emissions, reviews the effectiveness of the measures adopted in 1990, makes recommendations for modifications to those recommendations, and requests that the Town of Mammoth Lakes be redesignated to Attainment (meeting federal air quality standards).

Staff recommends that the Planning and Economic Development Commission discuss and provide comments on the draft AQMP Update and revisions to Municipal Code Chapter 8.30, Particulate Emissions Regulations.

Report Prepared By:
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Report Approved By:
Sandra Moberly, Acting Community and Economic
Development Director

B. ANALYSIS

1. Background

In 1987, the United States Environmental Protection Agency (EPA) identified the Mammoth Lakes area as Non-Attainment area for the National Ambient Air Quality Standard (NAAQS) for particulate air pollution with a particle size smaller than ten microns (PM-10). This determination was based on monitoring by the Great Basin Unified Air Pollution District (District) showing that, on average, the town's air quality exceeded the NAAQS of 150 micrograms per cubic meter per day 11 times per winter.

To meet the NAAQS, the Town and the District worked together to develop strategies for control of particulate emissions in the community. The analysis, conclusions, and control measures, were adopted in 1990 as the Air Quality Management Plan for the Town of Mammoth Lakes (AQMP). The AQMP showed that, overwhelmingly, the primary sources of PM-10 pollution in Mammoth Lakes came from smoke caused by residential wood burning and by road dust from cinders spread on the streets for traction control in icy conditions.

To address the identified sources of PM-10, the Town instituted a change-out program for wood burning appliances not meeting the emissions requirements of the EPA, wood burning restrictions on days where high PM-10 levels were anticipated, a limitation on the total number of vehicle miles traveled (VMT) on any given day, and a street sweeping program designed to remove cinders and other dirt from the roadways to prevent the creation of airborne dust. As a result of these actions, Mammoth Lakes has not exceeded the NAAQS since 1994 with the recent exception of episodes caused by smoke from the Aspen Fire.

Since the adoption of the 1990 AQMP, the Town has revised its General Plan and developed a new traffic model. During the same period, there have been revisions to the federal and District regulations related to PM-10. Because of the success of the Town's control measures, changes in Town growth projections, and the regulatory changes, the 1990 AQMP no longer accurately reflects the PM-10 conditions in Mammoth Lakes. Therefore, a revised AQMP has been prepared.

The AQMP update is funded through a Clean Air Projects Program (CAPP) grant from the District.

2. Analysis/Discussion

The revised AQMP reassesses the source contributions to PM-10 in Mammoth Lakes, makes recommendations for revisions to the Particulate Emissions Regulations of the Town of Mammoth Lakes (MC 8.30), and requests that the District ask that the EPA redesignate Mammoth Lakes to Attainment for PM-10.

Most of the changes to MC 8.30 revise outdated sections or make non-substantive technical edits. The three meaningful changes are:

- Section 8.30.040 A. This section is modified to clarify that no new wood burning appliances may be installed in multi-family developments. Prohibition of new wood burning appliances in multi-family projects has been the policy of the Town since around 2000. The proposed revision formalizes that practice and implements General Plan Policy R.10.3.

- Section 8.30.080, Mandatory Curtailment. This section has been modified to include all wood burning appliances, except pellet stoves, in the no-burn day program. Currently, EPA certified stoves are exempted under Town regulations, but are required to participate under the District regulations. This revision eliminates ambiguity between the Town and District regulations and better protects the community's air quality on those days forecast to exceed 130 micrograms per cubic meter.
- Section 8.30.100 B. This section sets a limit for vehicle miles traveled (VMT) within the town. The current limit is one hundred six thousand six hundred (106,600) VMT on any given day. Proposed development projects and other Town approved activities which affect vehicle trips are evaluated against this limit. Projects, programs, or policies which would cause an exceedence of this limit would have to incorporate higher levels of traffic mitigation or potentially be denied. The revised traffic model for the community incorporates additional roadway segments and revises VMT projections based on updated traffic counts and current modeling technologies. It shows an estimated VMT at General Plan buildout of one hundred seventy nine thousand seven hundred eight (179,708) for the revised model roadway segments. The air quality modeling shows that this overall level of traffic will not cause an exceedence of the NAAQS and is suggested as the VMT limit for the AQMP.

Also, in response to concerns that woodstove changeout requirements are not being complied with at time of property sale, Section 8.30.050.A has been expanded to prohibit the issuance of any building permit that increases the habitable area of the structure until the changeout requirement is satisfied. The Town is working to update our property sale and woodstove changeout records, as well as related compliance inspections.

A red-lined copy of the regulations is attached as Attachment 2. A clean version is contained in Appendix D of the draft AQMP (Attachment 1).

The recommended revisions to the control measures are projected to maintain compliance with the NAAQS through 2050. They should improve compliance with the California standard, but are not sufficient to demonstrate full compliance with the state standard, which is substantially more stringent than the federal standard.

3. Process and Input

The Particulate Emissions Regulations are found in Municipal Code Title 8, Health and Safety. Chapters within Title 8 are not subject to formal approval by the Planning and Economic Development Commission. However, Chapter 8.30 has specific implications for implementation of the General Plan and development projects, making Commission review and comment valuable to the effective development and implementation of the control measures, as well as effective implementation of the General Plan.

The recommended action is the provision of comments on the draft AQMP to be forwarded to the Town Council for their consideration during the adoption process. Adoption by the Council is anticipated in November 2013.

4. Environmental Analysis

Staff anticipates that the project will be exempt pursuant to CEQA Guidelines Section 15308: Actions by Regulatory Agencies for Protection of the Environment. Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.

C. OPTIONS

Since this item is a workshop, no options are provided.

D. RECOMMENDATIONS

Therefore, staff recommends that the Planning and Economic Development Commission discuss and provide comments on the draft AQMP Update and revisions to Municipal Code Chapter 8.30, Particulate Emissions Regulations.

Attachments

Attachment 1: Draft Air Quality Management Plan Update (Appendix A and B not included)

Attachment 2: Red-lined draft revisions to Municipal Code Chapter 8.30, Particulate Emissions Regulations